James Brue

fyrst day. And Justicers of the peace shall here & determine suche defautes of Shyreffes by byl at the sute of the partie or by inditemēt, & they shal lese xx.li. for euery defaut, & he ye wyll sue shal haue ye one halfe. viii. H. vi. Ca. ix.

To auoyde Robberies & spoyles vpon the ryuer of Seuerne, & by the costes of forestes of Dean, and the Hundredes of Blodestom, and Westburye in the countie of Glocester the Shyreffes of Glocester, or the Bayllyffes of the towne of Glocester after notificacion made to any of them of suche lyueryes, and damages, by the parties greued, within foure dayes after suche notificacion made shall make proclamacion to the towne of Glocester, that suche offendours within. xv. dayes after suche proclamacion, shal restore vnto the parties endamaged theyr goodes so taken, or the value, with a reasonable amendes.

The

The ſayd Shireffes Bayliffes to forfayte.xx.li.if they fayle ſo to do.ix. H. vi. Capiculo. xxviii.

☞ The ſhyreffe of Herforde neyther in his tourne, nor in any other place after the tourne ended, ſhal take any inquirie or enqueſte of office, whiche ought nat to be taken there. Neyther ſhall he take any fine or amerciament for thynges nat apperteynyng to his office or tourne vpon payne to forfait x.li. Anno.ix. Hen. vi. Capi. vii.

☞ Shireffes ought to retourne in attainter in ple of lande, men of ỹ yerely value of.xl.s̄. or in an action for dedes concernynge landes of ſuche value, and in accions of the ſumme of.xl. li. and more, thoſe perſones dwellyng within theire Bailewyke which may expende.xx.li. yerely aboue al charges for terme of lyfe at the leſt, out of auncīēt demeſne, Gauelkinde, & the.v. portes. And at ỹ fyrſt diſtreſſe.xl.s. & at ỹ ſeconde

ſeconde .C.s. and the double value of euery other diſtreſſe agaynſt the Jurrours, vpon payne of.x.li. to the kynge and aſmuche to the party. And if there be nat ſuffyciente perſons dwellynge within the countie whiche may expende.xx.li.yerely: then ſhall they inpanel other perſons of the moſte ſuffyciente poſſeſſion of yerelye value of landes, and tenementes within the value of xx.li. vpon peyne to forfaite.x.li. to the kynge and to the party aſmuche in the fourme aforeſayde. xv. H. vi. Capi. v.

¶ The Shyreffe or vnderſhyreffe of Herforde muſt arreſt ſuche perſons of Wales or the marches therof, whiche be outelawed of treaſon, or felonye, whome the ſayde Shyreffe knoweth or ſeyth to be in anye place within the ſayde countye, and to bryng them to the Gayle. And if anye ſuche perſone beynge indyted do deſobeye or flye awaye, the ſayde Shyreffe ſhall leuye

hue

hue and crye and purſue hym vppon peyne to make fyne and ranſome to the kynge. xxiii. Henri. vi. Capitulo. v.

¶ The Shiriffe ſhall nat occupy his offyce aboue one yere, and yf he ſo do, than to forfayte. xx. li. and euery pardon for ſuche offences ſhalbe voyde, any wordes put in ſuche letters patentes natwithſtanding. Alſo he ỹ preſumeth to occupy the ſame offyce aboue one yere by force of ſuch letters patentes ſhalbe diſable to be ſhyriffe in any other ſhire afterward. 23. H. vi. ca. viii.

¶ No ſhyriffe ſhall let to ferme hys countye, nor any of hys Baylliwykes hundredes, or Wapentakes.

¶ No ſhyriffe, Bayllyffes of fraunchyſe, ne other offycer ſhall returne in any panell, any of his Bayllyffes, offycers, or theyr ſeruauntes.

☞ No ſhyriffe nor any other to anye vſe ſhall take ought of anye perſon to be arreſted, or attached, nor to ſurceaſſe

eaſe of anye arreſt or attachement to
be made by the bodye. Nor ſhall take
ought of any perſon arreſted, or atta-
ched, for fyne, fee, ſute of priſon, main-
pry s, lettynge to bayle, or for ſhewing
any fauour or eaſe to any perſone be-
ynge ſo arreſted, excepte it be as here
foloweth, that is to wyt, to the ſhiriffe
xx.d. to the bailliffe that made the ar-
reſt. iiii. d. and to the gayloure if the
priſoner be cõmytted to warde. iiii. d.
☞ The ſhyrryffe hym ſelfe nor any to
hys vſe ſhall nat take any thynge for
the makynge of any retourne or pa-
nell, but for the coppye of the Panell.
iiii. d. Howbe it they vſe to take. ii. s.
for the retourne of a Panell: but that
ſemeth to be extorcyon.

¶ Shyrriffes ought to let out of pri-
ſonne all preſonnres beynge in theyr
warde, by force of anye writte byll or
warraunte in anye actyon perſonall,
or indytemente of treſpace, vppon a
reaſonable

reasonable surete beynge sufficyente in the countye to kepe theyr dayes in the places as the sayde billes writtes or warrantes requyre, excepte suche as be condempned, outlawed or excommunicate, or for suretye of the peace or by the commaundement of any Justycer, and vagaboundes whiche refuse to serue.

✠ Also Shyrefes ought nat to take any obligacions for any thinge aboue mencyoned, or by coloure of theyr office but onelye to theym selfes, nor of anye persone beynge in theyr warde, but by the name of theyr office, as by the name of Shyrefes in the obligacion, vpon condicion that the parties shall appere at the dayes conteyned in the writtes, in suche places as the billes, writtes, or warrantes requyre. And if any obligacion be taken of any person by colour of their office in any other fourme, it shalbe voyde.

Shyrefe

¶ Shyryffes ſhall nat take for any obligacion warrant or precept by the to be made any more than.iiii.d.

¶ Shyryffes muſt make their deputies yerelye in the kynges courtes, that is to wyt, in the chauncerye, the benche and the Eſchequer of recorde, before they retourne any wrytte.

⁂ Shyryffes that do contrary to this ordynaunce in any poynt ſhall leſe to the partye greued treble damages, and ſhall forfayte.xl.li.for euery time that they ſhall ſo offende, the one halfe to the kynge, the other to hym that wyll ſue.xxiii.Henrici.vii.Capitulo.x.

☞ Shyriffes when writtes be directed vnto them to leuy the expences of knyghtes of the parlyamente, muſte make proclamacyon at the next countye after the delyueraunce of the ſame writtes, that the Corroners, Conſtables and Baylyffes of hundredes ſhall be there to aſſyſe theyr

wages, vppon peyne of.lx.s. what tyme they shall assesse euerye hundred at a certayne summe by it selfe, and after they shall assesse euerye Uyllage, within the same hundred at a certayn summe by it selfe. And if they be other wyse assessed, for euerye defaute they shal forfaite.xx.li. The one halfe wher of shalbe to the partye that wyll sue. And the shyrysse shall leuye the same duely, and shall paye it to the knightes of the parlyament vpon peyne of .xx. li. And the partye that wyll sue shall haue his action by Scire facias, and shall haue.x.li. aboue the .xx. li. with treble damages .xxiii. Henrici sexti. Capitulo vicesimo secundo.

¶ The shyrysse after the delyuery of any wrytte to make election for the knyghtes of the parliamente, muste make a sufficyent precepte vnder his seale to euerye Mayre and Ballysse of Cytyes and Boroughes, within the

the countye, theym commaundynge to elect Citezins, and Burgeſſes to come vnto the parlyamente. And the ſayde Mayre and Bayllyffe ſhall truelye retourne the ſame pzecept to the ſhiriffe by endenture betwene them foz electyon and names of theym that are ſo choſen. And the ſhyzyffe is bounde to make a good and true retourne of euery ſuche wzyt, & of euery retourne made to hym by the Mayre and Bayliffes. And foz euerye tyme that the ſhyziffe ſhall do contrarye to thys oz any other aſtatute made foz the elicci-on of ſhyziffes to come vnto the parliament he ſhal encurre the peyne of one C.li. to the kynge, and a yeare impzyſonment without bayle. And mozeouer ſhall paye vnto the perſone ſo beynge choſen, knyghte, Citezins, oz Burges and nat duelye retourne, oz to anye other perſone, whiche in deſauce of ſuche knyghte, Burgeſſe,

or citezin wyll sue therefore, one hundred pounde to be recouered by action of dette.

¶ And the shyryffe oughte to make suche eleccions in the full countye betwene the houres of .viii. and .ix. before noone, and to make a good and true retourne of suche eleccions vpon peyne to forfaite an .C.li. to the kynge and asmuche to the partye that wyll sue therefore agaynste the shyryffes, theyr executors, or administers. xxiii. Henrici. vii. Capitulo. xv.

☞ Shyryffes in theyr turnes ought to inquire, heare or determine, if anye minister, of the warden of the courte in the marches of Scotlande, or yf anye other arreste any persone by hys bodye, or attache hym by hys goodes out of the countyes of Northumberlande, & Cumberlãde & westmerland & the towne of Newcastel to ãswere in any of the sayde courtes: or els by co-

loure

loure or cause of any proceſſe in the ſayde courtes: for in ſuche arreſtes it ſhalbe lawfull for euery man to make reſiſtence. And the partie greued ſhall haue an action of falſe impriſonement or treſpas, and ſhall recouer treble damages therfore, and the defendaunt ſhall haue two yeares impriſonment, and the ſhyreffe ſhall haue power to procede thereupon, as well as vpon a preſentement made in his tourne. xxxi. Henrici. vi. Capitulo ſecundo.

¶ Whereas ſome men by diſſimulation and other meanes fayne them ſelues to be louers to women vnmaried, as Maydens, or wydowes hauynge greate poſſeſſion and ſubſtaunce of goodes, & get ſuch women into their poſſeſſion, & conuey them into ſuch places, frome w[illegible]e they wyll nat ſuffre them to go at their lyberrye, excepte they wyll make to them oblygacions of greate ſummes to be payed vnto

thein or cause them to be bounden in estatute Marchaunte, or some tyme wyll compell them to be maryed at theyr pleasure, whiche if they refuse to leuye vpon them the summes conteyned in the same obligacions and statutes, it is ordeyned that the party greued shall haue a wrytte out of the Chauncery compryllynge the hole matter of theyr vnreasonable intreatynge directed to the shyreffe, commaũdyng hym to make ꝓclamation at the nexte Coũtie after the receyte of the wrytte that the offendour shall appeare at a certeyne daye and place prefixed in the wrytte before the Chauncellour or the Justicers of Assise of the shyre where suche offences shall hap to be done or before some other persone assigned by the Chancellour. And the shyryffe to whome such a wrytte shalbe directed, and shall execute the same accordynge to the tenoure therof

vpon

vppon peyne of.CCC.li. the one halfe to the kynge, the other to hym that wyll sue therefore by wrytte of det, wherin no wager of lawe, protection, nor forayn plee (to cause the matter to be tried in an other countie then where the wrytte is brought) shalbe allowed. xxxi, Henrici. iiii. Capitulo. iiii.

¶ Upon euery inditement or presētment taken before shyryffes or theyr mynysters in theyr tournes, or lawe dayes, they shall delyuer the same indytementes and presentmentes to the Justycers of the peace at theyr nexte Sessions vpon peyne of. xl.li. And the Justicers of the peace shall awarde processe vpon the same, as well as yf they had ben taken before them selfes and shall arrayne those that be so indyted of felonye, and shall sette fynes vppon suche as be indyted of trespas, the extreates of whyche fynes shalbe inrolled by indenture and delyuered

vnto the same shyrefes or ministers.

¶ And if any shyrefes or theyr ministers arreste or attache any persou by colour of any suche inditemente or presentment in theyr tournes or lawe dayes, or els take any fyne or amercimēt therfore, they haue presse from the Justicers of the peace, or afore the extreates out of the Inditementes shalbe delyuered, they shall forfayte C.li. the moytie wherof shalbe to the partie suynge therefore by writte of dette in whiche no wager of lawe nor protection shalbe alowed. 1. Edwardi quarti. Capitulo vltimo.

¶ Uppon an informacion made to Justicers of peace, or to other Justicers agaynst any person for reteinyng or gyuynge of lyuereys, or agaynste any that is reteyned or takech lyuerie the Justicers shall make processe thereupon, as vppon a recouerye of dette or trespas. And if the shyrefe in any

any ſute graunted therupon agaynſte any perſon beyng ſufficient, retourne any leſſe iſſues, then.xx.s.at the fyrſte day of the diſtreſſe, and at the ſeconde, daye.xxx.s.and at the thyrde daye. xl. s.And ſo at euery daye after, more by x.s.in iſſues for euery ſuche retourne he ſhall forfayte.xx.s. viii. Edwardi iiii. Capitulo.ii.

¶ The olde ſhyreffe ſhall haue power to retourne wrytes, and to execute his office durynge the terme of ſaint Mighel and Hyllarie, after the yeare of his ſayde office expyred, onleſſe he be lawfully diſcharged therof before. xv.Edwardi.iiii.Capi.ix.

¶ No ſhyreffe, nor other officer ſhall ſeaſe or take the goodes of any pſone beyng arreſted or impriſoned for felo- nye vntyll the ſame perſone be duelye cõuicte or attainted of the ſame felo- ny by courſe of the comon lawe, or ex- cepte the ſame goodes be otherwyſe

lawfullye forfayte, vpon peyne to forfayte the double value of the goodes so taken to the partye greued suynge therefore by accion of dette, wherein no wager of lawe, essoyne, nor protection shalbe allowed. i. Ri. iii. Capi. iii.

☞ No Baylliffe nor other offycer in any panell within any countye of this realme shall retourne anye persone to be put in or vppon any inquirie in the tournes of shyrryffes, but suche as be of good name and fame hauynge freholde to the yearelye value of .xx.s. or copyholde to the yerely value of .xxvi. s. viii. d. at the lest, aboue all charges, vpon peyne to lese for euerye persone nat beynge sufficient, at euerye tyme that they shall so do offence .xx.s. and the shyrryffe other .xl.s. whereof the one moytye shalbe to the partye suynge therefore by accyon of dette, in whiche suyte no protection, nor essoyne shalbe allowed. But wa-

ger

ger of lawe is nat expzeſſed. And foz that cauſe it behoueth to make infoz macion therof in the Eſcheker. i. Richardi. iii. Cap. iiii.

☞ Shyzeffes oz other hauynge the cuſtodye of Gayles ſhall certifie the names of euery pziſoner beynge in theyz cuſtody, and to them committed foz felonye, vnto the Juſticers at the nexte generall Gayle delyuerye to be kalendzed, vppon peyne to fozfayte foz euery tyme that they ſhall make defaute in ſo doynge. C. S. iii. Henrici. vii. Capitulo. iii.

¶ Alſo the ſhyzeffe noz no other pſon in his name, oz by his cõmandement ſhall enter no pleyntꝭ into theyz bokes in no mans name, onles the pleyntife be there in his pzopze perſon oz els by ſuffitient atturney oz deputie that is knowen of good name, and the pleintife ſhall fynde pledges, perſones that be knowen in that countie to purſue his

his pleinte, and the pleintife shall haue but one pleinte for one trespas, or one cõtracte. And if the shyreffe or any other his officers cause to be entred any mo pleintes then the pleintiffe supposeth that he hathe cause of accion agaynst the defendaunt, than the shyreffe or his clerke that dothe cause to be entred any suche pleintes, contrary to this acte shall forfayt for euery defaute. xl. s. the one halfe to hym that wyll sue and proue the same mater by acciõ of dette or informaciõ. ☞ Also the shyreffe shall make sufficient preceptes after suche pleintes entred agaynste the defendaunte directed to the baylyffe of the hundreth, to attache or warne the defendaunte to appeare and answere to the sayde pleyntes, and if there be any defaute in the sayde baylyffe of the hundreth in warnyge or executynge of theyr offices then to forfaite. xl. s. and to

be

be conuicte thereof by examinacy-
on of the Justicers of the peace or
any of them,

¶ The same shyryffes nor theyr de-
putyes shall make none estreates to
leuy the shyre amercyamentes tyll that
ii. Justycers of the peace whereof one
to be of the Quorum haue the syghte
of theyr bokes and the estreates to be
endented betwyxte the Justycers of
peace and the shyryffe and vnder shy-
ryffe sealed with theyr seales, the one
parte to remayne with the sayd Justi-
cers, and the other parte with the
shyryffe.

¶ And those persons that shalbe ga-
therers of the sayde amercyamentes
shalbe swoorne by the sayde Justycers
that they take no more mony thē is for
faite & conteined in the estreates sealed
with the seales of the Justycers to the
same vppon the same peyne of for-
faytoure, as is aboue rehearsed, the
same

same gatherers to be conuict by examinacyon of the same Justycers, or one of them. And the same Justycers of peace shalbe appoynted at the Sessions holden at Wyghelmas by hym that is custos rotulorum, or in hys absence by the eldeste of the Quorum to haue the controlment of the sayd shyryffes, vndershyryffes shyre clarkes and other of the sayde offycers, and of the sayde shyryffes amercyamentes. And the sayd Justicers of peace vpon suggestion shall make proces agaynst the shyryffe, vndershyryffe shyre clarkes or other offycers to appere before them to answere to suche suggestion or informacyon as is vsed in action of trespas. Anno secundo. Henrici. vi. Capitulo. iii.

¶ Also euery shyryffe shall cause to be taken all vacabundes ydle people and suspect persons and sette them in the stockes, there to remaine at the first

taky̆ng

takynge by one daye and one nyghte and at the seconde tyme to be in the stockes, by thre dayes and thre nyghtes with bread and water. And if any shyryffe execute nat these premisses of euery vagabunde heremite or begger able to laboure, or clearkes, pylgrims, or shypmen, as ofte as anye suche commeth in sight, or that he hath therof anye knowledge within the towne or place where he hath auctoritie that as ofte as anye suche misdoer abydeth there aboue the space of one daye and one night any depart vnexamined and vnpunished, for euery misdoer so departed the Shyryffes to lose thre.s. iiii.d. and the Shyryffe in his tourne hathe auctoritie to inquyre of all the defautes of Mayres, Baylyffes, highe Constables, petye Constables, and all other gouernoures, and of other gouernoures, and officers of Cytyes, Townes, and Vyllages, within

within theyr tourne and to haue .iii.
s.iiii.d. for euerye defaute founde in
hys tourne. An. xvii. Henrici. vii. Ca-
piculo. xii.

⁂ Also euery shyryffe vpon a precepte
dyrected vnto hym by the Justycers
of peace to retourne a panel to inquire
of any ryotte or vnlawefull assemble
commycted, shall retourne .xxiiii. per-
sons dwellynge in the shyre, euery of
them hauynge .xx. s. of freholde or
xxvi.s. viii.d. of copyholde or of bothe
ouer all charges, and to retourne in
issues euery person .xx.s. at the fyrste
daye, and at the seconde daye. xl.s. and
if the defaute be in ỹ shyriffe for the re-
tournynge of persons nat beynge of
that sufficiẽcie or for none retourning
of issues in fourme before sayde he to
forfayte. xx.li. An. xvi. H. vii. Cap. xv.

❧ Also if anye ryotte or assemble of
people be made in any parte of thys
realme agaynst the lawe, the Justy-
cers

cers of peace, or two of them at the leaſte, and the Shyryffe or vnderſhyryffe maye come with the power of the countye (yf nede be) to arreſte and brynge them before the ſame Juſtycers of the peace. And the Shyryffe or vnderſhyryffe haue power to recorde that that they ſhall fynde in theyr preſence done contrarye to the lawe, and the offendoure ſhalbe conuycte by ſuche recorde. And yf they be departed before the commynge of the ſayde Juſtycers, Shyryffe, or vnderſhyryffe, then ſhall the ſame Juſtycers or two of them within one moneth after ſuche ryot, enquire diligently where the aſſemble was made. And yf the truthe can nat be founde, then the ſame Juſtycers, or two of theym, and the Shyryffe or vnderſhyryffe aboue-ſayde, within a moneth nexte folowynge, ſhall certyfye before the kynge and his councell the hole dede

withal the circumstãces therof, which certifycat shalbe as stronge to put the partyes to aunswere therupon, as an inditement founde by twelue men. An. xiii. Henrici quarti Capitulo vltimo.

¶ And if the sayde ryot or vnlawfull assemble be nat founde (by reason of any embracerye or mayntenaunce of the sayde Jurye) then the said Justycers of peace and the Shyrryffe, ouer and aboue suche certifycat that they must make accordinge to the sayd statute made. Anno. xiii. Henrici quarti. shall in the same certifycat certifye the names of the sayde mayntey nours and embralyours in that behalfe (if anye be) with theyr mysdemeanours that they knowe, vppon peyne of euerye of the sayde Justycers, and shyrryffes or vndershyrryffes. xx. li. yf they haue no reasonable excuse for noone certyfyynge of the same, whiche certyfycat so made, shalbe an indytemente in the

lawe

lawe. And euerye person duelye proued to be maynteinour or enbrasioure shall forfayte.xx.li.and to be committed to warde, thereto remayne by dyscrecyon of the Justycers.An.xix.Henrici septimi.Capitulo.xiii.

¶ Also that no Shiriffe vpō writtes and preceptes dyrected by hym do retourne before Escheatours or Commyssyoners, any persone to inquyre of any landes, or tenementes, excepte euery of the same Jury haue landes and tenementes of the yerelye value of.xl.s.aboue all charges in the same shyre vpon peyne of forfature for euery person so retourned a hundred shyllynges. Anno.iii. Henrici.viii.Cap.ii.

¶ Also all panels put in by the shyriffe before any Justicer of gayle deliuere, or before Justycers of peace (wherof one to be of the Quorum) in their open sessions, to enquire for the kyng, shalbe reformed by

puttynge to, and takynge out of the name so impanelled by dyscrecion of the same Justycers. And that the same Justycers or Justicer shall cõmaunde euerye Shyryffe and theyr mynysters in theyr absences to put other persons in the same panell by theyr dyscrecion and the same panell so refourmed by the Justycers to be good. And yf any shyryffe do nat retourne the same panell so refourmed, then euerye shyriffe so offendynge for euery suche offence shall forfayte. xx. li. halfe to hym that wyll sue by accion of det, byll or complaynt where suche shall fallor be, and no wager of lawe, essoyne, nor protecion shalbe allowed.

Also vpon euery exigente (where wryttes of proclamacyon are to be awarded) the same wrytte of proclamacyon to haue the same daye of retourne that the exigent hath, and to be delyuered of recorde, and the Shyryffe

tyffe to make proclamacion thre seue
rall dayes in his pleine coũtie, wherof
one of the proclamacions to be made
at the generall Sessions in those par-
ties where the partie is supposed to
be dwellynge, that he yelde hym selfe
to the Shyreffe of the fozen shire that
the Shireffe maye haue the bodye at
the daye of the exigent retournable to
answere to the plaintes, and that the
shyryffe of the sayde coũtie that hath
suche wzyttes of proclamacion duely
execute the same and therof make due
retourne at the daye appointed in the
same wzytte, vpon peyne to fozfayte
suche amerciament, as by the Justi-
ters shalbe assessed.

Shyryffes, Bailliffes, Constables
and all other hede officers, and euery
of them fyndynge oz knowynge any
person vsynge oz exercisynganyvn-
lawfull games contrarie to the sta-
tute, haue ful power to cõmitte euery

ſuche offendour to warde, there to re-
mayne without baylle or maynprize,
to ſuche tyme as they ſo offendynge
be bounde by obligacion to the kyn-
ges vſe in ſuch ſummes of money as
by diſcrecion of the ſayde Shyrreffes,
or other officers: ſhalbe thought rea-
ſonable, that they frome hense forthe
ſhall nat vſe any vnlawfull games.
Anno. ſexto. H. viii. Capi. ii.

☞ If any impotent perſone begge
within any other place then within
ſuche lymittes as he ſhalbe aſſigned,
the ſhyrreffes and all other the kynges
officers ſhall by theyr diſcrecion pu-
nyſhe ſuche perſones by impriſonmēt
in the ſtockes, by the ſpace of. ii. dayes
and two nyghtes, gyuing them bread
and water onely, and after that cauſe
them to be ſworne to retourne agayne
to the place where they be licenſed to
begge. Anno. xxii. Henrici octaui.
Capitulo duodecimo.

The

¶ The Justicers of of peace vpon informacion or presētmēt made against any Towneshyp for none executynge of this acte, shall make proces by distres against the inhabitantes of the towne, and therby the Shyreffe shal distreyne the goodes of one or two of the inhabitauntes of the towne as he may knowe for necligēt in the towne and retayne the distres tyll he fynde suretie to appere at the Sessions before the Justicers.

¶ And vpon the tetourne of the Shireffe of the distres, if the persone appere nat, then euery suche persone to lose.xl.d. at the fyrste distres, and at the seconde distres. vi.s.viii.d. vpon his defaut, and so to be double at euery distres tyll apparaunce be had.

☞ Shyreffes that haue custodye of Gayle shall make seales to be grauen with the names of the Castell that he kepeth, for to gyue and seale wryttes

to prisoners acquyted to begge for theyr fees within the hundreth where he is diliuered by.vi. wekes nexte after his delyuere, and then to go to the hundreth where he laste dwelled, by. iii.yere, or where he was borne. The Shyreffe shall nat suffre any such prisoner to begge for his fees, nor to departe but to do seruice and laboure, tyll that he delyuer hym suche letter, and the Clerke of the peace to make the briefe within one daye after the sessions, vppon peyne of twelue pens to the kynge. Anno.xxii. Henrici. viii. Capitulo. xii.

¶ For distroieng of Crowes, Rokes and Choughes, it is ordeyned that euery person hauyng any maners landes and tenementes in theyr manutance, shall do as muche as in hym is resonable to kyll and destroy the same Crowes, Choughes and Rokes breedynge or abydynge vpon his landes

or

or tenemētes, vpō peyne of a greuous amerciamēt to be set. And if the offēce be within the lymittes of letes, rapes, or court barons, then to be set by the steward with two of the presentours by the Stewarde, and presentours to be named vpon the presentemēt found and presenced, and to be reasonablye assessed after the quātite of the offence And the amerciamēt to be to the lorde of the lawdaye. And if any persone be lorde of suche manours, or inhabite there (wherunto any suche lawdaye or rape is belongyng) then vpon a presentement had before the Shiriffe in his tourne with two of the presentours to be chosen by the presentours shall cesse the sayde amerciament by theyr discrecion to the vse of the kyng and be leuied by distresse. Anno. xxiiii. Henrici. viii. Capitulo. x.

¶ And the shyreffes in theyr tournes shall gyue in charge to the tehantes

and inhabitauntes apperynge before them that they shall duely enquire, and putte in execucion the effecte of this acte.

¶ Shyrryffes shal holde theyr courtz from moneth to moneth. And where greater tyme is wonte to be, greater shalbe. Magna Carta. Capi. xxiii.

¶ The kynge commaundethe that Shyrreffes and theyr officers which receue his dette shal acquite lawfully the dettours at the nexte accomptes after that they haue receyued the dette: and then it shalbe allowed at the Escheker, so that it shall nat come in the somons after. And if the Shyreffe do otherwyse, and be attainted therof he shall rendre thre tymes so muche as he hath receiued, and shall make fyne at the kynges wyll. And if an other do it, for whose hande he is aunswerable at the Escheker, he shall rendre the treble therof to the pleintife and,

and ſhall make fyne in the ſame. And the ſhyreffe ſhall make tayles to all them that haue paide hym the kynges dettes. Weſtminſter primer. Capitulo nono.

¶ Concernyng Shyreffes and other whiche haue leuyed the kynges dette, and make tayles or other acquitance to the dettour, and diſcharge hym nat. It is agried that whan the ſhyreffe is impleded therfore in the Eſcheker by the dettour, if he come nat at the diſtres, then ſhall an other diſtres be awarded retournable at a certayne day wherein it ſhalbe commaunded that proclamacion be made in the ful counte, that the defendant ſhal come in by a certayne daye to acquite the dettour of the ſumme, for which he made hym the acquitance or tayle, at whiche if he come nat in, & the writ be retourned and the proclamacion certified, he

ſhalbe

ſhalbe holden conuicte, and the dette ſhalbe leuied of hym, in lyke maner as dette recouered, agaynſt hym in the kynges courte, and damages ſhalbe awarded to the plaintife, accordynge to the diſcrecion of the Barons. xiiii. Edwardi. ii. in the ſtatute of Atteintes, the laſt Chapiter.

¶ The kyng commaundeth that all Shyreffes, & Baylliffes whiche haue receyued his dettes, of the ſomons of the Eſcheker, which acquite nat ỹ detours vpon the nexte accompte, ſhalbe punyſhed accordyng to the eſtatutes made. Diſtreſſes of the Eſcheker. Capitulo quinto.

¶ It is ordeyned that execucion of wrytes which come to the Shireffe, be made by the hundreders knowen and ſworne, and in the full cõtie, and nat by others, if it be nat for greate ſcarſyte of hundredars. For then it ſhalbe done by other perſone conue-

nient

nient and swozne. The statute of Lincolne the last Chapiter.

⁂ Shiriffes shal nat be charged with the liuienge of any issues, noz shall leuye anye befoze they come out of the Escheker by the extreates there to be leuyed. And yf percase anye shyziffe retourne issues vppon anye recognitoz pledge oz manucaptoz, by him assessed and retourned into our courte, whiche to the paymente of the same issues oz amerciamentes at the tyme of the retourne was in sufficiēt: the same Shiryffe shalbe charged therewith at the Escheker, and shall make trayles to all persons of all maner of thynges by hi receyued, and shall nat retourne anye where the names of manucaptozes, Jurrours, oz other excepte it be accozdynge to the tenour of the wzytes to them dyrected, noz shall retourne the names of pledges of fremen anye wher onelesse they haue manyfestly confessed

them

them selues pledges. The statute of Fynes. Capitulo secundo.

¶ No shyryfe, coroner, or other the kynges mynysters shall take no reward for doynge his office, and if he do, he shall paye the double, and shall be punysshed at the kynges wyll, but shalbe payde of that whiche they take of the kyng. Westminster .i. Ca. xxvi.

¶ Shyrifes shall nat suffre any barretoure or mayntenoure of matters within his county, neyther stewardes of greate lordes or other (whiche be nat attourneys to theyr lordes to do theyr suytes) nor to syt vpon the iudgementes of the countyes, nor to pronounce them except he be therto required of all the suytours and attourneys that shalbe there at the same iourney. And if he do the contrarye, the kynge shall take it greuously to the Shyrife and the offendoure. Westminster. primo. Capitulo. xxi.

It

¶ It shalbe lefull for euery shyrisse Justicer of peace and Escheatoure to sease to the kinges vse all such goodes and catels that such persons as come within this realme ỹ be called Egyptians haue, and therof to make accõpte to the kynge in his Escheker, and to retayne and kepe the moyte thereof to his owne vse, and accompte for the residue, and to paye no fees for the accompte nor for his dyscharge therof.

¶ In the statute it appereth what thing the shiriffe ought to do by reson of his office, and that he ought nat to take any thinge for doynge his office but onelye that whiche is appoynted to hym by the same estatute. And if he do or take any thynge otherwyse, it is extorcion whiche ought to be enquired vpon by Justycers of the peace, and the shyrysse shalbe punished therefore.

❧ And if any shiriffe do any extorcion to the people, and be duelye attaynted

thereof

thereof he ſhalbe ſtraytlye punyſhed therefore at the pleaſure of the kynge. Anno primo. Hen. iiii. Capitulo. xi.

¶ Shyryffes maye, and are bounde to enquyre of comen anunſances done to all maner of the kynges ſubiectes, but nat of aſſaultes made vppon anye pryuate perſon, for that is but a particuler offence, by Martin. iiii. Hen. vi.

¶ The Shyriffe muſt kepe his turne within a monethe after Eaſter, and within a moneth after the feaſt of S. Myghell. And yf he kepe it at any time after the moneth of the ſayde feaſtes, it is voyde by the eſtatute of. An. xxxi. Ed. iii. Capitulo. xix. And all indytementes, and preſentmentes there taken after the ſame tyme be voyde.

¶ Blodeſhed ſhalbe enquyred of, in the ſhyryffes tourne, byeauſe it is an artycle that is to be inquyred of in a Lete. All Leres be deryued and taken out of the Shyryffes tournes, in ſo-

muche

muche that for defaute of inquerye in leetes of thynges inquerable there the same thynges there omitted ought to be inquired of in the curnes of shyryffes. P.viii.Edwardi .iiii.

☞ And all the Justycers sayde that the Shyryffe in hys courne hathe auctozitie, to inquire of all thynges that be trespas oz felony by the comon law (except the death of a man) but of trespas oz felony made by estatute the shiriffe in his turne hath no power to inquire of. M. xxviii. Edwardi. iii.

¶ And if the shyryffe in hys courne inquire of instances, that shoulde be inquired of in the Lete of an other, and the same be founde, yet maye he not distraine foz the amerciament of such a presentment. Foz yf he do he is trespassoure. But yf there were a defaute in the lozd of the Lete in that he wold not inquire oz fynde the same, whan he ought to haue inquired thereof, in

this case it semeth that the shyryffe in hys tourne may inquire of it in defaut of the lorde. M.xxviii. Edwardi.iii.

❧ And if one haue a fayre or market by graunt or prescripcyon, and kepe nat his fayre or market as he ought, the shyryffe oughte to inquyre thereof in his tourne.xxii. Henrici.vi.

¶ Upon a presentment of Nusance in the shyryffes tourne, the party shal be amercyed there by the shyryffe, whiche may distraine for the amerciamēt. And if porpresture be presented there the shyryffe may abate the same, and refourme it. P:xxvi. Edwardi.iii.

¶ Also it appereth by the booke of Briton that vnto the turne of the shyryffe ought to come all the freholders of the hundred, and other lande tenauntes (Clarkes, men of religion and women onely except) where at the shiriffe shal cause.xii. of the most sage and sufficient persons of the hundred

to be

to be ſwoꝛne. And then ſhall all the reſidue be ſwoꝛne by doſyns, and by the townes, which ſhal make their preſentment to the fyꝛſt.xii. Jurrours vpon the artycles where with they ſhall be charged. And it ſemeth that the Shyꝛyffe ought to holde his tourne in euery hundꝛed within the countye.

¶ What thynges be inquirable in the Shyꝛyffes tourne.

¶ Fyꝛſte they ſhall enquire yf there be any myſdoer in the hundꝛed of whom any fame deth in doute of life oꝛ lym, and what is his name.

¶ Alſo they ſhall inquire of all moꝛtall enemyes, to the kynge, the quene, theyꝛ chyldꝛen, oꝛ counſelloures, of counterfeatinge the kynges ſeale oꝛ hys money, of manſlears and murderers, of burners of others coꝛne oꝛ houſes felonyouſlye, of Burgloures, of Robbours, of theues, of outlawes,

of thoſe that haue abiured the realme and cumme agayne, of ſorcerers and witches, of myſcreantes and heretykes, of traytoures and of pryſoners, of cutters of purſes, of bluters, of bycaylers byenge and ſellynge wyttingly ſtolne fleſche of them that wittingly make white the ſkinnes of beaſtes ſtolne, of redubboures that wyttingly bye ſtolne clothes, and dreſſe them into an other facyon, of treaſoure hyd in the grounde, hues & cries wrongefully or ryghtfully leuied and not purſued, or waters ſtopped, straynghtened or tourned, of bounds pulled vppe or wrongfullye chaunged, of walles, houſes, gates, marlepittes, dytches, or other dyſturbances made or leuied vpon any common waye to the annuſaunce, of petye bryboures that ſhere ſhepe to haue the wulle, of ſuche as take theſbote, and of thoſe that haue made a pryſone of theyr owne houſe

or houſe

or houſholde, of paunde breache, of treſpaſſours in parkes and pondes, of takers of other mennes Doues, of the aſſiſe of breade and ale broken, of thē that bye and ſell by meaſure agaynſt the aſſiſe, of chaunce medleys, of conteckours, of bloudſhed, of watches, vnkept, of the kynges hyghe wayes nat enlarged, of thoſe that haue kepte appeachours in any other priſon thē the kinges or any other felon aboue a day & a nyght, of newe liberties, cuſtomes, or iuriſdiccions vſurped ſyns the laſt tourne on water or on lande, of weyffes, of wreckes of the ſea founde and kepte awaye, of bridges and cauſeis broken, & who ought to repaire them, and of thoſe that clayme fraunchiſes, or iudgementes realles, and of all thoſe of the age of.xii.yeres gon out of the hundred, wich be nat come into the tourne (excepte Clerkes, knightes their childrē & wyues wyich

be nat in dosyns.) of vacaboundes by the countrey which are of no mannes retynue, of whome there is any euyll suspeccion of lewde demeanour.

❧ And whan the townes haue gyuen theyr verdite to the fyrste Jurrours, then immediatly shall the fyrste Jurrours go and gyue vp theyr presentement sucheas they wyl abyde by. And the presentment of felonies they shal shewe priuely, and the other openly, Briton lib..i Folio. xxxviii.

❧ Nowe must ye inquire further if Bayliffes of liberties and fraunchises haue duely done theyr office whiche resteth in thre pointes, whiche is, that they truely execute the preceptes whiche be directed vnto them accordynge to the tenours of the same, and that they make due answere and retourne to the Shyreffe of the same preceptes, and that he take nothynge for doynge his office, but onely the

fees

fees to hym due, and apoynted by the course of the lawe, and what fees they shall take, and what thingʒ they ought to do by reason of theyr office shal appeare more playnlye here folowynge.

☞ The offyce of Bayllyffes of liberties.

Vppon a precept made by the Shyryffe to a Baylyffe of a lyberrtye vpon a wrytte of distres directed to the shyryffe to distrein the defendant in the same wrytte, or the Jurrours in any inquest, the Baylyffe muste retourne good and suffycyent issues, vpon the defendant, or vpō the Jurrours yf they haue syfficyente goodes or landes within his Bayllywyke, and yf he do not the playntyfe in the accyon shall haue an auerment that he myght haue retourned greater issues, yf the defendaunt make defaut, or ẏ iurrours by ẏ sta. of. i. E. iii.

Capitu.b. And Justicers of the peace muste inquire if the Baylliffes haue done theyr office in that point.

¶ Also they muste inquire if baylly-ffes of liberties whiche be kepers of any Gayle, enforce any of theyr pri-sonners to be appellours to the entent to haue a fyne of the parties appeled for doute of imprisonment .i. Edwar. tercii. Capitulo. vii.

❧ Baylyffes of liberties whiche take indicementes in theyr courtes, or o-ther where, ought to take them by in denture, wherof the one partie shal re-mayne with the inditours, and the o-ther with the baylyffe. ii. Edwardi. 3. Capitulo. xvii,

¶ None shalbe made Baylyffe of li-bertie, excepte he haue sufficiet lande in the place where he is minister, to make aunswere to the kynge and his people. xii. Edwardi. iii. Cap. ix.

❧ Baylliffes of liberties whiche be

Gaylours

Gayloures and haue the kepynge of prisons ought to receiue & safely kepe all theues deliuered to them by the Constables of the townes, beynge indited, taken with the maner, or appealed of felonye without takyng ought. iiii. Edwardi. 3. Cap. x.

☞ Bayliffes of liberties muste receyue suche persones as be arrested in theyr fraunchise by the Constables, for suspicion of felonye, that walke in the coūtrey by nyght, or be of euyl name, and shall kepe them in prisone vntyll the cōmynge of the Justices of Gayle deliuere, and in the meane tyme the Bayliffes muste inquire of them. v. Edwardi. 3. Capitulo. xiiii.

¶ Bayliffes of liberties, Constables and other officers of townes where loyterers and vacaboundes resorte haue power to examine them diligētly, and compell them to fynde suertie by sufficiente maynpernours beynge

dyſtreynable of theyr good behauiour. And if any defaut be founden in the ſame loyterers and vacabunds, and can nat fynde ſuretie, they ſhalbe ſent to the nexte Gayle there to remayne vntyll the comynge of the Juſticers of Gayle deliuerie whiche maye do with them as they ſhall thynke beſte by the courſe of the lawe. vii. Richardi ſecundi. Capitulo. v.

☞ No ſeruaunte or labourer at the ende of his terme ſhall departe out of the hundred or Rape where he is dwellyng, to dwell any other where, onles he bryng a letter patent conteynynge the cauſe of his goynge, vnder the kynges ſeale therto aſſigned. And if any ſeruaunte labourer be founde vagerant without ſuche letter, he ſhalbe taken forthwith by the ſhyreffs Mayres Bayliffs or other officers, & put in ſtockes vntill he fynde ſuretie of returne to the towne to ſerue from whence he came

came, vntyll he haue suche a letter to departe for cause reasonable. xii. Richardi.ii. Capitulo. iii.

¶ Baillistes, of liberties haue power to arrest seruauntes & labozers that weare daggers, swerdes & knyues, & them to sease & kepe vntill the sessions of the peace, and the weapons to pzesent to ỹ Justicers there, with the names of them that beare them, and the weapõs shalbe forfayte, excepte they be traueling in the countre with theyr masters, oz in theyz lands oz busynes xii. Richardi. ii. Capitulo. vi.

¶ Shyzeffes and baylyffes of liberties in theyz liberties, are bounden to receyue seruauntes & labourers begging and vagarant, and them to detayne in pzison wout bayle, without takynge of any fee oz other thyng of them at theyz entre oz departing by thẽselues oz by their deputies vpon paine of .C.s. to the kynge. xii. Ri. ii. Ca. vi.

Bay-

¶ Baylliffes of liberties to whome the kepyng of the assise of bread & ale and the correccion of the same belongeth, shall take no amerciamence nor fyne for no defaut touchyng the sayd assise for which the offendour oughte by the lawe to haue corporall penance but they shall adiudge them to the same penance. And Baylliffes of liberties and al other that haue the kepig and ouersyght of vitailes shal put in due execucion the estatute made in the xxiii. yere of Edwarde the thyrde, whiche begynnethe. Quia maior pars populi &c. xiii. R. ii. Capitulo. viii.

☞ Bouchers, Fyshers, Hostellers, Brewars, Bakers, Pulters, and all other sellers of vitayles are bounden to sell suche maner of vitayles at a resonable price, hauyng regarde to the price wherat suche vitayles are solde at other places nere, so that they maye haue a competente gayne and

nat

nat excessiue accordynge as by the dy-
stance of the places (from whens the
victaylles are caryed) they shall thynke
reasonable to be inquired. And if anye
sell victayles in any other maner & ther-
of be conuict, he shal pay the double of
that he hath receiued to the party en-
damaged, or in his defaut to any other
that wyll sue therfore. And Wayres &
Bayllyffes of townes. &c. haue power
to inquire of al suche as offende agaist
this ordynaunce in any poynt. And in
case that the same Wayres, and Bay-
lisses be necligent in doing execucyon
of the premisses, and therupon be con-
uicted by the Justycers assygned by
vs, they shalbe compelled by the same
Justycers to restore the treble value
of the thynge solde to the partye gre-
ued, or to any other that in hys defaue
wyll sue and neuertheles shalbe gre-
uously punisshed agaynste vs .xviii.
Edwardi.iii. Capitulo. vi.

No

¶ No Stewarde, Baylyffe, nor o-
ther ministers of lordes of fraunchises
whiche haue recourne of wryttes shal
be attourney to any person in any mat-
ter within the same fraunchise or bai-
liwyke where he is officer at any ma-
ner of tyme. iiii. Henrici. iiii. Capi. xix.

¶ If any heinous ryotte be made, the
Justycers of the peace and the shyriffe
or vndershyryffe ought to do their of-
fice accordynge to the estatute made
xviii. Hen. iiii. And yf they do not at the
sute of the party greued a commission
shall go forth to inquire thereof, and
of the defaulte of the Justycers and
the shyriffe and the Coroner shal serue
the proceffe, and he muste retourne
persones that haue lande to the yerely
value of .x.li. and shall retourne also
x.s. in issues at the forst daye, and
xl.s. at the seconde daye, and at the
thyrde daye. C. s. and so double it
at euerye daye after, And yf defaut

be in

be in the Coroner in returnyng the iſ-
ſues, or of perſons of ſuche lande, he
ſhall leſe .xl.li. And yf the olde ſhyryffe
be diſcharged, the newe ſhyryffe ſhall
ſerue the proceſſe, and not the Coro-
ner, vpon peyne of .xl.li. if the defaute
be founden in hym, touchynge the
tourne of other perſons by hym enpa-
nelled whiche haue not landes to the
yerely value of .x.li. or to returne ſuch
iſſues as the Coroners be charged
with. And Bayllyffes of liberties are
bounden for to impanell ſufficient per-
ſons, as aboue is ſayde, vppon peyne
to leſe .xl.li. in caſe that ſuche perſons
maye be founde within his Bayliwike
ſt. Henrici .iiii. Capitulo .viii.

¶ Bayllyffes of fraunchyſes ought
to make theyr retournes, and aun-
ſwere vnto the Shyryffe vppon hys
precepte made vnto them in a ſpecyall
wryt of aſſyſe .vi. dayes before the day
of y ſeſſiõs vpon peine to forfait .xl.li.

for

for euerye tyme that they shall do the contrarye. vi. Henrici sexti. Capitulo secundo.

¶ Where a precepte is made to the Shyrryffe by Justycers of the peace to retourne a panell to inquire of forcyble entre, and he sendeth hys precepte to the Bailliff of the libertie to returne the panell bycause the riotte was done within the libertie, nowe is the Bayllyffe bounden to make due retourne and execucyon of the preceptes to hym directed vpon peyne of. xx. li. for euerye defaure. And the estatute wyll that the Shyrryffe shall retourne. xx. s. in issues vpon euery Jurrour at the fyrste daye, and that euerye Jurroure whiche shall passe in the inquire, shall spende. xl. s. yerely, whereby it semeth that Bayliffes of libertes are boundē to do likewise, if so many of the said Jurroures be wīn his libertie, for els he is nat. viii. Henrici. vi. Captiulo. ix

Bayliffes

¶ Bayliffes of lybertyes in attayntes vpon plee of lande of the yerely value of.xl.s.or moze, nor in attayntes for dedes concernynge landes of lyke value, nor in attayntes vppon perſonal actions wherin the recouery extendeth vnto.xl.li. or moze, ſhall nat returne or impanel any perſons in ſuch inqueſtes, but thoſe that be dwellynge within his Baillewyke, and that haue eſtate to theyr owne vſe in landes or tenementes for terme of lyfe to the yerely value of twenty pounde or moze, within hys Baylliewyke out of auncient demeſne and the fyue porces. And at the firſt daye of the diſtreſſe retourned, ſhall retourne no leſſe yſſues in ſuche actions of attaynt than.xl.s.and at the ſeconde dyſtres .C.s. And the double of euerye other dyſtres vppon the perſons ſo impanelled and retourned. And yf he do the contrarye, he ſhall pay.x.li.to the king and aſmuche

to the partye. li. Henrici sexti. Capitulo quinto.

¶ Bayleffes and other the kynges offycers maye arrest those souldioures that come from the see and shewe nat letters testimonials frome theyr Captaynes that they haue lycenced them. And they shall kepe theym vntyll they haue inquired whether that they haue licence or nat, and if they haue no such lycence, then shall they be punysshed as felons. xviii.. Hen. vi. Capitulo. xix.

¶ No Baylyffe of a lybertie (vpon any precept to him directed to retourne the panell of any enquest) shall in the same retourne any Baylliffes, offycers or seruaunces to anye offycers aboue sayd, nor shall take any thing by them selfe or by other of any person by them arrested or attached to theyr owne vse or auayle, nor of any other person for any arrest or attachemente by the bodye made by them, or that is arrested by

by vertue of theyr offyce, for fyne, fee, suyte of pryson, maynpris, lettynge to bayle, of shewynge of any ease or fauour to any person so beynge arrested for theyr rewarde or profite, but as is here lymytted, that is to wyt for the Shyriffe. xx. d. the Baylyffe that maketh the arrest. iiii. d. and to. the gayloure if the prisoner be commyted to hym. iiii. d. And no Bayliffe of anye libertie, nor Coroner by him selfe nor by other by coloures of his office shall take anye thynge for the makynge of retourne or panell, and for the copye of a panell but. iiii. d. Also Baylyffes of lybertyes shall let out of pryson all persons by them arrested or beinge in theyr kepynge by force of anye bylle, wrytte, or warrant in any accion personal, or by force of any inditement of trespas, vpon reasonable suretye hauing sufficient within the Bailewike wher they be let to baile, to kepe their

dayes in the same places as the same bylle, wrytte, or warrant shall inquire thofe only excepted, which be in warde vpon anye condempnacyon, or be excommunicate, or outlawed, or arrested vpon suretye of the peace, and vagacauntes that refuse to serue. And that the sayde Bayliffes shal nat take any obligacyon of any person, nor by any person being in theyr warde by course of the lawe, for any the causes aboue rehersed, but in the name of theyr office and vpon the condycyon that the same person shall appere at the dayes conteyned in the sayd wrytes, bylles, or warranties, and in suche places as they requyre. And yf anye Bayliffe take any obligacion in any other fourme by coloure of his offices, it shalbe voyde, and that he shall take no more for the makynge of any suche obligacyon, warrantye, or precepte by them to be made, but foure .d. And yf they

do

do contrarye vnto this ordynaunce in any poynte, for so doyng they shall rendre to the party greued his damages treble, and shal forfeyt for euery tyme that they do the contrarye. xl. li. the one halfe whereof shalbe to hym that wyll sue in anye of the kynges courtes therefore. &c. xxiii. Henrici sexti. Capitulo decimo.

¶ Baylyffes of lyberties ought not to lease the goodes of anye person arrested or imprisoned for felony before that they shalbe conuicted or attaynted of the same felony, accordynge to the lawe, or els that the same goodes be otherwyse forfayted, vppon payne to forfayte the double value of the goodes so taken, vnto the partyes endamaged, suyng therfore by accion of det, wherein no wager of lawe, essoyne, nor protection shal in any wise be allowed to the defendaunt. Primo Richardi secundo. Capitulo tercio.

¶ Baylyffes of liberties that be gaylers and haue the keppynge of gayles, ſhall certyfy the names of euery pryſoner in his gayle that is there for felony, at the nexte generall gayle delyuere in euery countye or fraunchyſe (where ſuch gayle is) to be kalendred before the Juſtices of the ſame gayle delyuere, vpon payne to forfayte for euerye defaulte there recorded. C. S. Anno. iii. Henrici. vii. Capitulo. iii.

¶ All Baylyffes and other hed offycers, and euery of them fyndynge or knowyng any perſon vſynge or exerciſyng any vnlawful games contrarye to the ſtatutes, haue power to commyt euerey ſuche offendour to warde, and there to remayne in pryſon without bayle, or maynpryſe, tyll ſuch tyme as he be bounde by obligacion in ſuch ſum, as by diſcrecio of him that taketh the bounde ſemethe reaſonable, to the kinges vſe, that he ſhal play no more.

Anno

Anno.vi. Henrici.viii. Capi.ii.

☞ All statutes made agaynste Shyrisses, vnder Shiriffes, Baylyffes, or other ministers for makynge or retournynge of paniels, or Juries, or for due execucion of seruing of writes or other proces, or for takyng of fees or for the reformacion of extorcions or for any other thynge concernynge theyr office, and al paynes conteyned in euery suche estatute, shalbe extended to all Stewardes, Baylyffes and other ministers, and officers of lybertyes and fraunchyses haynge retourne of writtes, and execucion therof in like maner as they extende to shiriffes, theyr vnder Shyryffes, Baylyffes nor other mynysters, sauynge that the Baylyffes, and officers of lybertyes may occupye theyr offyces for as longe tyme as they shalbe gyuen vnto them. Anno. xxvii. Henrici. octaui. Capitulo. xxiii.

THE OFFICE OF ESCHEATOVRS.

YE shall enquyre of Eschetours, if they haue duely executed theyr office and yf they haue taken anye moze foz doynge therof, then they ought, oz if they haue commytted and done any extozcion, oz oppzession vnto the kyngs people by coloure of theyr office. And therfoze ye shall vnderstande, that no Eschetour ought to medle oz inquire foz ỹ kyng but in case where the kynge of ryghte oughte to be entytled and haue the lande oz thyng that is founde foz hym by the enquest, foz if one holde of the kynge as of his duchie of Lancastre by knyghtes seruice, & dye, his heyre beynge within age, the kynge ought to haue the warde of the heyre, and the lande. And yet in that case if the Eschetour

tour fynde it by office, he ſhal haue no-
thynge for the fyndynge therof, by-
cauſe the tenaunt helde not of the kyng
in cheife as of his crowne. And there-
fore the kyng may enter and ſeaſe the
lande and the heyre without office, &
may graunte it. In lyke maner if the
Eſcheatour fynde by offyce that one
dyed ſeaſed and helde of other lordes
and not of the kynge by knyghtes ſer-
uice and that he is deade and his heire
within age. The Eſcheatour ſhal de-
maunde nothing of ryght for fynding
of ſuche an office. And ſo yf he fynde
an office that one died ſeaſed of ſuche
a manour in fee, aud held of the kyng
as of ſuche an honoure or Caſtell by
knightes ſeruice, and his heire within
age: yet ought not the Eſcheatour to
haue any fee or duetye for the finding
of that office, and yf he take any thing
therfore, it is extorcion, which is wel
proued by a writ of (diem clauſit ex-

tremum) the wordes whereof be these Quia Georgius fer qui de nobis tenuit in capite die quo obiit, dē clausit extremum, vt accepimus, deo tibi precepimus. &c. Whereby it appereth that if one holde not of the kynge in chyefe, the Eschetour ought not to haue the fee of forty shyllynges for fyndyng of the offyce. And yf he take it in that behalfe, it is extorcion.

☞ And in assyse if the defendant say that the landes are sealed into ỹ kynges handes by the Eschetour, and the Escheatour beynge there present and examined by the Justices there vpon do confesse that he hath sealed the landes into the kynges handes, where in dede he hathe not so done: in this case the Eschetour doth wrong to the playntyfe, which may haue no action vpon his case agaynst the Eschetour for his falsed, and for the delay that he hath susteyned throughe that confession

ſeſſyon by ſuynge to the kynge for a
(Procedendo.)

¶ None ſhalbe Subeſchetour onles he haue ſufficient landes in thoſe places where he is offycer to aunſwere to the kyng and his people, in caſe that any wyll complayne agaynſte them. Anno quarto Edwardi tercii. Capi. nono. Anno .v. eiuſdem. Capitu. iiii.

☞ The Eſcheatours ſhalbe choſen euery yere, as the Shiriffe ſhalbe, and by the ſame perſons ỹ chooſe the Shyriffes. And that no Eſcheatour ſhall abyde in his offyce aboue one yeare. An. viii. Edwardi .iii. Capitulo. iiii.

¶ The Eſcheatour ſhall not do waſt in Bychoppykes, and other places durynge the vacacion of them, neither ſhall fell vnder woddes, nor chaſe in parkes or warrens, nor fyſhe in pondes, or fre fyſhynges, nor maye take no fines of any tenemẽtes fre nor bõde but ſhall cauſe thẽ to be kepte & ſaued

with

without doynge damage or any maner of oppression. An. xxiiii. Edwardi tercii. Capitulo quarto.

☞ So by this estatute it appeareth that it appertayneth to the office of an Escheatour to sease the temporalytes of Archebyshopprykes, Byshoprikes and Abbeyes of the kyng in foundacion, dirynge the vacacion of the same, and to take the profytes, and to accompte for thē to the kynge in the Escheaker: Howe be it there is an other estatute made in the same yere, the effect wherof is, that yf the Dean and chap. Priour, or Suppriour, wyl take temporalties to ferme, payenge the value accordynge to the remembraunces in the Escheaker, that they shall haue thē before any other. And by an other estatute made the same yere Capi. quinto, the Chauncelour, Tresorer of the Escheker, takynge to them suche other of the Councell, as

they

they shall thynke good, shall lease the vacacions of Archebyshoprykes, Byshoprykes, Abbeyes, priories, and other houses of relygyon (thaduoidãce wherof belong to the kynge) the Dean and Chapiter, Priour, or Suppriour Priores, or Suppriores, and Couent at a certayne rent to paye by the yere, quarter, or moneth, durynge the vacacyons as they shall thinke best, without makynge fyne. And neyther the Eschetour, nor any other offycer shall seke cause or matter, to enter, or to medle, or do anye thynge in preiudyce of the churche. Sauynge to the kynge and his heyres, knyghtes fees, aduousons, Escheates, Wardes, Mariages, Relyefes, and seruyces to the sayde fees belongynge. In wytnes whereof the kynge caused his letters patentes to be made thereof, dated at Westm. the eight day of Apryll the yere aboue mencyoned, whereby it appereth that

the

thautozitie afozesayde to make leafles was gyuen to the Chaunceler and the Treasozer by the Kynges letters patentes.&c.Anno.xiiii. Ed.iii.Capit. vi.

¶ Thescheatours and other the kynges ministers must accompt in thescheker after this maner, that is of landes and tenementes, whereof pzofite arysseth from time to time thzoughout the yere as of Mylnes, herbages, tolle, plees,pzofites of courtes,oz such other issues and pzofites, they shalbe bounden to answere the king foz the rate & value of the tyme accozdynge to the olde course of thescheker. And touchynge auncient fermes & rentes,that are to be payde at certayne termes as Rent secke,and rent Seruice wherof no pzofite arysseth vntyll the daye of paymente: suche rentes and fermes shalbe payde vnto theym that haue lyuere therof out of the Kynges hande at the termes of payment of the sayde fermes

fermes and rentes next folowyng such liuere made aswell for the time passed as the time to come. An. xxviii. E. 3. c. 4.

¶ The kynge and his progenatours haue bene seased of forfaytoures of wardes, time out of mynde that is as well of landes and possessyons, as of goodes and cattelles. And by coloure thereof the scheatours by theyr office haue seased manye landes, and tenementes as forfaytes to the kyng surmisyng treson in some persons beinge deade at the tyme of the seaser, which neuer were attaynted in theyr lyues, the kynge hathe ordeyned touchynge suche forfaytures that fell in the tyme of his graundefather or before, that so sone as an inquest thereof shalbe returned into the Chauncerye by anye Escheatour or other that hath powere to enquyre therof, the tenaunte shall nat be putte oute of possessyon, but shalbe warned by a Scire facyas

to

to appere at a certayne day for to aun swere vnto the same, yf he wyll. And if no suche forfaytoure be founde the kynges hande shalbe closed, so that in all other cases of forfaytures of treson by persons deceased nat attaynted, nor iudged in theyr lyues, theyr heyres nor lande tenantes shall nat be chalenged nor empeched of any other forfaytures, but of those onelye that haue bene iudged in tyme passed afore the death of certayne persons, by presentment in Eyre or in the kynges benche as of felons of the kynge and other. And therfore it semeth that if one moue warre agaynst the kynge in his realme, and is slaine in the same then the Escheatoure maye sease the landes and tenementes, as forfayture of warre without anye other enquery to be made therof.

☞ Euery Escheatour must take hys inquestes of office of good and lawful

men

men ſufficiente of inheritaunce, and of goood fame, and of the ſame countye where the inquire ſhalbe made. And the inqueſtes ſhalbe indented betwene theſchetours and the Jurrours, and yf it be other wyſe doone, they ſhalbe voyde, and they ſhalbe taken in good townes openly.

¶ Trauerſe may be taken to theſchetours offyce, whereby anye alienacyon or dyenge ſeaſed, or that the heyre is within age, and the lande holden of the kynge in chiefe is founde.

✠ Landes ſeaſed into the kynges handes by reaſon of warde, ſhalbe kepte without waſt. And theſchetours ſhal haue no fee of veniſon, fiſhe, nor other thynge, but ſhall aunſwer the kynge of the iſſues and yerely profytes arryſyng of the ſayd landes without waſt. And if he do other wyſe, then to make fine at the kynges wyl, and to pay treble damages at the ſuit of the heire, as

well within age, as of full age. And yf he be within age, his frendes shall haue the suite of him aunswerynge to the heyre of that, that so shalbe recouered of him. Concernynge other landes seased into the kynges handes by inquest of offyce by theschetoure this foresayd ordinaunce and punishment shall holde place agaynst theschetour And if anye make clayme to landes so beynge seased, theschetoure shall retourne an inqueste into the Chauncerye within one Monethe after suche seaser, so that a wryt be delyuered to hym, to certifie the cause of the seaser and there shall the partye be harde to trauerse the offyce, or otherwyse to shewe hys ryghte. And the Chauncellor vppon his owne discrecyon (yf he se cause) maye leasse the landes to the tenaunte payenge to the kinge the value, if it belong to the kyng so that he finde suretyes that he shall do no

wast

waſt vntyll it be adiudged. And the Eſcheatoures ſhall take theyr Inqueſtes in good townes, & by honeſt men openly by Indenture to be made betwne the ſcheatour and them of the inqueſt. And if he do contrarye to this ordinaunce, then to haue two yere impriſonment, and further to make fyne at the kynges pleaſure. An. xxvi. Edwardi. iii. Capitulo. xvii.

¶ None ſhalbe Eſchetoure if he haue nat. xx. li. lande at the leaſt or more in fee, and that they execute theyr offyces in proper perſon. And yf he be otherwyſe, then to be put out, wherby it appeareth that the Subeſcheatoure cannat inquire, nor fynde offyce. An. xli. Edwardi. iii. Capitulo. v.

¶ Eſcheatours nor commiſſioners, ſhall not take inqueſte, but by thoſe that be impanelled and returned by the ſhiriffe, & if they do otherwiſe & be conuict by examinacion or otherwiſe at ȳ

ſuyte of the partye, or of the kyng, or any other perſone that wyll ſue, they ſhall incurre the peyne of .xl. li. the moytie to him at whoſe ſuyt they ſhal be conuict. And that no landes ſeaſed into the kynges handes ſhalbe let to ferme by the Chauncellour. vntyll the inqueſte and verdytes be retournned into the chauncerye and by one moneth after the ſame retourne, excepte it be to the partye greued whych was put out of thoſe landes by the inqueſtes, and wyl offre to trauerſe thē and ſhewe good euydence, and fynde ſufficiente ſuretye to ſue hys trauerſe with effecte, and to paye to the kynge the yearelye value of the landes yf it had to be diſcuſſed for the kynge. And yf anye letters patentes of anye landes or tenementes to the contrary be made to any other perſone then to him that offereth to trauerſe, or be let to ferme within a moneth nexte to the ſaid moneth

nethe of retourne they ſhalbe voyde, and holden for none. Anno. viii. Henrici. vi. Capitulo. xix.

¶ Eſcheatours and Commiſſioners ſhall retourne the inqueſtes taken before them into the chaũcery, or in the eſchequer within one moneth next after the takynge of the ſame, vpon payne of. xx. li. the one moytie to the kynge, the other to him that wyll ſue. Anno viii. Henrici. vi. Capitulo. xix.

¶ And if any Eſcheatoure take any office before him, and do not retourne the ſame into the Chaũcery or theſchekker, within the moneth next after the takynge thereof, he ſhall incurre the payne of. xl. li. forfayte by the ſtatute made. Anno. viii. Henrici. vi. and further ſhalbe boundẽ to pay to the kyng asmuche as he is endamaged by the not retournynge of the ſame. And that the Chaũcellour of England callynge to him the treaſorer of Englande may

leaſe ſuche fermes for the due execu-
cion of the ſayde eſtatute. Nouerthe-
leſſe it appereth that the ſame eſtatute
gyueth but .xx. li. of forfayt agaynſte
The ſcheatour or commiſſioner. There-
fore ſerch for the true recorde of both
the ſtatutes. An. xviii. Henrici. vi. ca-
pitulo ſeptimo.

☞ Eſcheatours muſte take theyr in-
queſtes of office by vertue of ꝑ writs
of (diem clauſit extremum) and al other
other wrytes within one moneth af-
ter the receyte of the ſame, and that
ſuch inqueſtes be takē in good townes
and open places. And that none of thē
pryuely nor openly by him ſelfe or by
other take any thynge for the executi-
on of ſuche wrytes in one countye
aboue the ſūme of .vi.s. viii.d. or .xiii.
s. iiii.d. or vnder with his labour and
his coſtes ſo that the ſumme that he
hath taken all togither excede not a-
boue .xl.s. for the executiō of any ſuch
wryt

wrytte in one countye. And yf he do contrary to the premiſſes, then to forfayte the ſumme of. xl.li. the moytie to him that wyll ſue for the Kynge and him ſelfe. Anno. xxiii, Henrici ſexti. Capiculo. xvii.

None ſhalbe Eſcheatoure, yf he haue not landes or tenementes to the value of. xx.li. within the countye for terme of lyfe, nor in the county where he is Eſcheatour. Nor no Eſchetour ſhall let his office to ferme, nor make deputie (other then he wyll at his parell anſwere for) whoſe name he muſt certifie by his letters patentes to the Treſorer and Barons of Theſcheker for the tyme beynge within. xx. dayes after ſuch deputaciõ made. And that no ſuche deputye take vppon hym to occupie in the ſayde offyce onles the eſcheatour haue landes, tenementes, or rentes to the yerely value of. xx. li. as before is ſayde. And if any perſõ do cõ-

 trary

trary to the premisses or any of them, then to forfayt for euery defaut. xl. li. the one moytie to him that wyll sue, & the other to the vse of the kings house by accion of dette, where no wager of lawe, essoygne, or protection shall lye. Anno. xii. Edwardi. iiii. Capitulo. ix.

☞ No shyryffe, Eschetour, nor other person shall lease or take ꝑ goodes of any person arrested or imprisoned for felony before that the same person so arrested or imprisoned be conuicte, or attainted of the same felony according to the lawe of Englande, or that the same goodes shalbe otherwyse forfayted, vppon peyne to forfayte the double value of the goodes taken to the partye damaged suyenge therefore by action of det, where no wager of law essoyne nor protection shall lye. Anno primo. Richardi. iii. Capitulo, iiii.

☞ If any Eschetour or Commissioner put into any of the kynges court;

any

any inquisicion or office concernynge landes or tenementes, or other hereditamentes, not founde nor presented by the othes of .xii. men, and indented and by them sealed, then to forfayte for euery such offence retourned, and put into anye of the kynges courtes one .C. li. to the party greued. An. iii. H. viii. capitulo secundo.

❧ No Escheatour nor other Commissioner shal set by vertue of any Commyssyon to enquyre of landes & tenementes, except he haue landes or tenementes, or hereditament to the yerely value of, xl. marke ouer all charges, vpon peyne of. xx. li.

¶ The Escheatours and Commissioners shall be discharged by theyr othes that they may not dispende. xl. Markes ouer all charges, and that vpon proces made agaynst them oute of the Escheker. The Escheatours & commissioners shall set in open places

and ſhall ſuffer euery perſon to gyue euidence openly in theyr preſence to the inqueſte taken before them vpon payne of.xx.li.

¶ The Jury ſhall receyue the counterpayne of the indenture that ſhalbe preſented, indented and ſealed by the Eſcheatour or Commiſſioner, and to reſt in the poſſeſſion of the fyrſte man that was ſworne in the ſame Jurye vpon paine of euery perſon that ſhall be ſworne.xx.s.

¶ And euery Eſcheatoure and Commiſſioner after ỹ the Jurye is ſworne and redy to gyue theyr verdite, and offer to preſent the ſame, that the ſame Eſcheatours or Commyſſyoners, or parte of theym ſhall receyue the ſame verdit without further delaye vppon payne of a.C.li. and delyuer the counterpayne of the ſame indenture to the Jurye in fourme beforeſayde vppon the ſame payne.

And

¶ And yf the Clerke of the petit bag or his deputye wyll not receyue ſuche offycers, and put it into the files to remaine of recorde within thre daies after it be receyued or offred to be receyued, he to forfait for euery ſuch defaut xl.li. And the Commiſſioner, and Eſcheatoure to be diſcharged of the penaltye of forty pounde, lymitted by the Statute for none retournynge of the ſame offyces, or inquiſicion within one moneth,

¶ And lyke lawe and penaltye to be agaynſte the offycers in the Kynges Eſcheker which ought to receiue ſuch inquiſicion, for refuſyng ſo to receiue them. And the cõmiſſioners and Eſchetours to be diſcharged of the penaltye for none retourning of the ſame inquiſicion, ſo that the ſayd Eſchetours or cõmiſſioners at any tyme after the moneth of ſuch office before thē found or before any of thē within an other moneth

then next enſuynge, returne the ſayde offyce into the Chauncerye, or Eſcheker, as the caſe ſhall requyre. And the clerke of the perte bagge to certifye ꝑ tranſcript of euery ſuche offyce taken before any Commiſſioner, or Eſcheatour, into the Eſcheker the next terme folowynge the reſceyt thereof, vppon payne of.C.s. for euery ſuche defaut

¶ And no man be compelled to occupy the office of Eſcheatour by any patente ouer one hole yeare, and that he that is ones Eſchetour ſhal not be Eſchetour agayne within. iii. yeres next after the ſayde hole yere ended.

☞ If any Eſcheatoure exercyſe his office by reaſon of any patente ouer ꝑ tyme of an hole yeare ended, or be made Eſchetour within thre yeres after: then after the ſayde hole yeare ended his patent ſo made to be voyde, and the partye greued ſhall haue hys recouerye of euerye of the ſayde forfaytours

ſaytures of one hundzeth pounde, by accyon of det, where no wager of lawe eſſoyne noz pzotectyon to be allowed. There be dyuers pzouicions made foz dyuers Eſchetours in Cities and Boroughes, and in dyuers counties.

¶ And yf the landes oz tenementes of anye man be ſeaſed into the kynges hande by vertue of any offyce founde befoze the Eſcheatour, oz Commiſſioner, oz by reaſon of any other recozde founde in the chauncerye, oz the ſcheker, and he that ſo is put out of hys landes by reaſon of ſuche recozde, oz offyce ſo founden come and trauerſe that recozde oz offyce, and it is founde foz him: wherupon he hath his iudgement that the kynges handes be cloſed and amoued, nowe yf it ſo be that there be another recozd oz office found remaynynge amongeſt the kynges recozdes which is not trauerſed noz cryed, yet ſhall not the ſchetoure ſeaſe the

landes

landes agayne into the kynges hãdes by reason of that recorde beinge found and nat trauersed. And yf he do, then dothe he wronge and extorcyon, and the partye that is put out shall haue assise agaynste him, and shall recouer double damages agaynste him. But in this case the kynge must sue a Scire facyas agaynste hym that hath the landes out of his handes, vppon thys other record or office that was nat trauersed before. Thys is gyuen by the statute Lincolne called the statute of Escheatours. An. xix. Edwardi. ii.

¶ And if Thescheatour by coloure of his office without warrant or auctoritie of the lawe that be longeth to his office disseise anye man of his landes or tenementes, the partye that is disseised, shall haue an assyse of Nouell disseison, and shall recouer double damages agaynste the scheatoure. West. i. Capitulo. xxvi.

Thescheas-

¶ The Eſcheatours hath no powere to amercye anye man that appearethe beſoze hym, and myſdemeaneth hym ſelfe, oz if the Jurrours that be ſomoned appere beſoze do make defaute, he ſhall recozde ſuche thinges in his roille and ſhall nat amercye the Jurroures, but he ſhall ſeyde the ſame recozde to the Juſtices in Eyze, oz to the Juſtices of Aſſiſe, when they come into the countrey

⁂ It ſhalbe lefull to the ſhiriffe, Juſtice of peace and Eſchetoures to ſeaſe to the kinges vſe all ſuche goodes and cattelles that ſuche perſones as come within this realme that be called Egipcians haue, and therefoze to make accompt to the kynge in his Eſcheker and to retayne and kepe the moytye thereof to his owne vſe and accompte foz the reſidue, & to pay no fees foz the accompte, noz foz his diſcharge therof

¶ The office of Conſtables.

Foz

FOr as much as the office of a Constable was an office at the common law of long continuance, and was fyrste ordeyned for the conseruacyon of the kynges peace to be hadde and kepte in euery towne amonge the kynges subiectes there dwellyng somewhat shal be spoken. And howe farfor the theyr powere doth extende, and what penalties are prouyded agaynste them, for nat executynge theyr offyces.

¶ Who were conseruatoures of the peace at the common lawe.

IT is nowe to be sene for the conseruacyon of the peace, what persons by the cõmon lawe had auctoritie therin, before the making of the estatutes wherby Justyces of the peace are ordeyned. And it semeth that by the common lawe dyuers persons were conseruatoures of the peace, for at the common law there was one person which is

is called chiefe Justyce of Englande to whom the kynge commytted hys auctoryte in the mynystracyon of Justyce for thynges touchynge his corone, and for the conseruacyon of his peace amonge his subiectes throughout all his realme. And that is prouid by the wryt which the kynge sendeth to hym that he shall holde his place in the ministracyon of Justice to his subiectz, in the fourm aboue said throughout all his realme, wherby it doth appere that the same chyefe Justyce is high cõseruatour of ỹ peace throughout all the counties of Englande, and in euery parte of the realme where he goeth. Also there be other persons conseruatoures of the peace throughout the realme, as the Stewarde of Englande, the Marshall, and the Constable of Englande. Also the Constables of euery towne were and be kepers of the peace by the comen lawe, lykewise

the highe Constables of hundzedes, wapētakes, lathes, oz tithynges were and be conseruatours of the peace by the comen lawe within the townes oz hundzedes and within theyz lymittes. And befoze the makynge of the statutes wherby Justycers of the peace are ozdeyned, the kinge by his commissiō made conseruatours of the peace in those counties and places (where him thought best to kepe his peace. And the auctozytie whiche conseruatours of the peace had by the comen lawe is the same auctozitie that a Constable of a towne oz wapentake hath at this daye, the whiche I shal partly touche.

❧ If one make assaulte vpon the constable, the Constable may defende him and may take hym and commytte hym to the gayle vntyll he haue foūd surety to kepe the peace, though that the assaulte were made vppon hym selfe. As it appereth. Mycha. quinto. Henrici

rici septimi, in the tytle Barre. Much more then yf a Constable se one makynge assaulte vpon a straunge person, he maye take hym, and commytte hym to prysone, or to the gayle, vntyll he haue founde suretye to kepe the peace.

☞ And yf one man threate an other wherupon he that is threatened commeth to the Constable, and sheweth hys matter, and prayeth him to compell hym that soo threatened hym to fynde suretye: in this case the Constables and the partye that is thretened may go, and compell hym that so dyd make suche threatenynge to fynde suertye to kepe the peace, and if he wyl nat, they may commyt him to warde vntyll he hath founde suche suretye as you maye se. M. xiiii. Edwardi. tercii, in the tytle of Barre.

¶ And if one be stryken in parell of death, it is the office of the Cõstable of

the towne to arreſt the offendour, and to kepe him in pꝛiſon tyll he be knowen whether the party ſo ſtꝛiken wyl lyue oꝛ dye, oꝛ vntyll ꝑ he hath founde ſuretye to appere beforꝛe the Juſticers of Gayle dylyuery, oꝛ at ſuch time as he ſhalbe called vppon to appere beforꝛe the Juſtycers at their diſcrecion.

☞ And if one flye foꝛ felony it is the offyce of the Conſtable of the towne to ſeaſe his goodes and to kepe them, and yf they happe to be impayred in his keppyng, he ſhall anſwere foꝛ them to the kinge. ii. Edwar. iii. in the Eyꝛe of Noꝛthampton. But by the ſtatute made. i. Richardi tercii. Cap. iii. that is chaunged. And if felons oꝛ murderers be in the towne, and the Conſtable haue knowledge therof, it is hys offyce and duetye to aſſemble people foꝛ to take them.

✲ And if one take a felon in the towne and bꝛing him to the Conſtable to be con-

cõueyed to the gayle, the Constables offycers is to carye hym thyther, and to cause other of the towne to ayde and assyste hym in so doynge.

❧ And note that Constables were ordeyned for two intentes, that is to witte, to kepe the peace, and also to represse felons, to take suertye by oblygacion of suche persons as they shall fynde makynge affrayes.

❧ It apertayneth to the offyce of the chefe Constable of Englande to haue conusaunce of dedes of armes and cõtractes touchynge dedes of armes and of war out of the realme, and in lyke maner all thynges touchynge armes within the realme, whiche can not be determined by the comen lawe, as it appereth clerely by the statute made the.xiii. yere of Richard.ii. Capitu. ii.

Also it appereth by ẏ statute made An.i.H.4.Ca.xiiii. ẏ all appeal to be made of thinges done out of ẏ realme

of Englande shalbe tryed, and eter-
myned before the Constable & Mar-
shall of Englande for the tyme beyng.
¶ Also when battayle is ioyned in a
wryt of ryght or in appeale, that shal
be derayned before the Constable and
Marshall, howbeit the Justices must
se the batayle done, bycause that they
be properly Judges thereof and not
the Constable nor the Marshall.
¶ And the Constables haue manye
other auctorities aswell by the comon
lawe, as by estatutes made the which
you may se there.
✻ In. vii. Ed. iiii. it is sayde that Gar-
deyns of the peace at the comon lawe
maye inquyre of congregacyons and
vnlawfull assembles, and of disseason
with force, but not do entrees with
force. But nowe by the statute if one
entre with force, or of disseason with
force, or entre peasablye, and kepe
possessyon with force, the Instyces of
peace

peace maye make restytutyon to the partye, and put hym in possessyon by theyr wryt dyrected to the Shyryffe.
¶ Constables in the townes where they beare office. may arrest men that go or ryde armed in fayres, or markettes by daye or by nyghte, and take theyr armour as forfayt to the kynge and imprysonthem at the kynges plesure. An. ii, E. tercii at Northampton.
¶ The kynges purueyours oughte to make theyr puruetance for the kinges house, by the constable, and foure honest men of the townes where such purueyaunce shalbe made, withoute threatynge. And in presence of the Constables. Tayles shall be made and sealed with the seales of the takers, betwene the sayde takers, and the partyes of whome the goodes be taken. / And yf anye taker make his prise otherwise, it shalbe done with hi as with a thefe. An. xrii. E. iii. Capi. i.

⁂Constables of townes muste arreste such as passe by nyght, of whom suspection is had, and delyuer thē to the Shyrriffe, there to remayne in warde vntyll they be duely delyuered. Also they must arreste such as be called Robberdes men, Whasters, and Drawelatches (yf suspection be had of anye suche) be it by nyght or daye, and delyuer them to the Shyrryffe vntyl the commynge of the Justycers of Gayle deliuere. An.v.Ed.iii.Capi.xiiii.

¶It is ordeyned that none shal take for threshyng a quarter of wheate or corne aboue two pence. ob. and for a quarter of barly, beanes, pees, & otes, i,d.ob. yf so muche haue bene vsed to be gyuen, and in the countrey where they vse to repe by the shefe, & threshe by the bushell, they shall take no more nor otherwyse. And that suche labourers and other seruauntes shall make an othe two tymes in the yere, before

Lordes

Lordes, Stewardes, Baylyffes, and Conſtables of euery towne, to do and kepe this ordynaunce, and that none of thē ſhal'go out of the towne where they dwelled in wynter for to ſerue in ſomer (yf he can haue ſeruyce in the ſame towne) ſauing to the folke of the countyes of Staffordе, Darby, Lancaſter, Crauen, and the Marches of Wales, they fre liberty to laboure in other coũtreis in the tyme of Auguſt. And they that refuſe to make ſuche othe, or to perfourme that thyng that they haue ſworne and taken vpon thē ſhalbe put in the ſtockes by the ſayde Stewardes Baylyffes, Conſtables, of townes, by the ſpace of thre dayes or more, and ſhalbe ſente after to the nexte gayle, and there to remayne vntyl they wyl be ordered, and that there be ſtockes in euery towne for the ſame intente. And the Stewardes, Baylyffes, and Conſtables, ſhall make

othe before Justycers assygned to enquyre diligently of al thē that offende agaynst this ordynaunce, and to certyfy theyr names before the same Justycers when they shall come into the countrey, to kepe theyr sessyons, vpon which certificat made the same Justicers shall cause them to be attached by theyr bodies to appere before the sayd Justycers, to aunswere vnto suche contemptes, so that yf they be attaynted they shall make fyne and raunsome and further to be cōmaunded to pryson vntyll they haue founde suertye to serue in maner aboue sayde. And the Justycers at euery tyme ꝑ they shall come into the countrey, shall inquyre of Stewardes, Baylyffes, and Constables whether they haue made good and lawefull certyfycat or haue coūsealed ought for any gyfte, procurement, or affinitie, and shall punysshe theym by fyne and raunsome, yf they

be

be founde gylty. Anno. xxv. Edwardi tercii. Capitulo secundo and octauo.

☞ Constables of townes where as faytours, or vagaboundes resorte haue power to examyne theym dylygently, and compel them to fynde suertye of theyr good behauoure by suffycyent maynpernours dystreynable in case that any defaulte be founden in suche faytours, and vagaboundes. And yf they can fynde suche suertye then to be sente vnto the nexte gayle there to remayne vnto the cummyng of the Justycers of Gayle delyuerye, which haue auctorytie to do with such faytours and vagaboundes as they shal thynke best to be done by the law Anno primo Richardi secundi. Ca. v.

☞ Constables of Townes maye arreste any seruaunt, labourer, comming to the towne, frome any place vagaraunte, onlesse he haue a letter contaynynge the case of his goynge, and the tyme

tyme of his retourne, vnder the kyn-
ges seale that thereto shalbe assygned
and delyuered to the custodye of some
honest man of the hundred, Wapen-
take, Citie, or Borough accordynge
to the discrecio of the Justices of peace
And the Constable maye put hym in
the stockes, and kepe hym vntyll he
haue founde surety to retourne to his
seruyce or to serue in the towne from
whence he came, vntyll he haue a let-
ter to departe vppon cause reasonable
Anno.xii, Richardi.ii.Capitulo.iii.

¶ Constables haue power to arreste
seruauntes and labourers that beare
aboute them hangarde, dagger, or
knyfe, and to sease the sayd weapons
as forfayte, and them to kepe vntyll
the Sessions of the Justices of peace,
before whom they shall present such
wepons with the names of them that
bare them, excepte that they trauayle
in the countre on theyr maysters mes-
sage

sage. Anno. xiiii. Richardi secundi. Capitulo sexto.

☞ Shyryffes and other the kynges mynysters may take the power of the countrey to represse assembles, and ryottes in outragyous nombre, and to commyt them to prysone. An. xvii. Richardi secundi. Cap. octauo. It semeth by these wordes (the kynges mynysters) that Constables of townes haue power to do so by thys acte aswell as the Shyryffes.

¶ Constables maye arreste seruauntes, labozers, and impzison thē by the space of syxe dayes, which vse nat bowes and arrowes vppon Soudayes, and such other Festiuall dayes, which wyll nat leaue vtterly all playenge at the balle, aswell with hande as with foote and other games called coytes, dyce, castynge of the stone, keyles, and all other lyke impoztune games. An. xi. Henrici quarti Capitulo quarto.

con-

¶ Constables and all the kynges lyege people that are able to trauayle within the countye must be assistinge and aydynge to the Justicers of peace and the Shyrryffe to represse greate ryottes, and vnlawefull assembles, vpon peyne of imprisonmente and to make fyne and raunsome. Anno. secundo. Henrici quinti. Capitulo. viii.

☞ Constables shalbe made in euery partye of the marches of Wales, and market townes to enquire, serche and arreste suche persons that carye victayle or armoure to any parte of Wales, without the kynges lycence, whiche Constables shall haue the fyrste parte of the forfayt for theyr trauayle. Anno. quarto. Hen. iiii. Capitulo. xxvi.

¶ Cõstables of porte townes (where souldyours that haue bene retayned in wages to serue in warre beyonde the see, or vppon the see, and departe frome theyr Capitaynes, and tourne backe

backe, & arryue in any porte of Eng-
lande without lycence of theyr Capy-
tayne vnder hys seale) maye arreste
suche souldyours, and kepe theim vn-
tyll enquirye be made of them, and yf
it maye be proued by enquyrye before
Justycers of the peace, and proues
that they haue mustred of recorde and
departed from theyr captayne (as be-
fore is sayde (without lycence, then
they to be punysshed as felons. Anno.
xviii. Henrici sexti Capitulo. xix.

¶ The Constables Tithingmen and
chiefe pledges of euery towne must as
syste and ayde the owners and sellers
of any goodes (where the kinges pur-
ueiors wyl make theyr purueiance or
bargayne of any goodes to the value
of. xl. s. or vnder of any person) & wyll
not paye prest payment in hande: in
which case it shalbe lawefull to euery
one of the kynges lyeges, to retayne
them, and to resyst suche purueyours

and

and nat to ſuffre theim to make anye ſuch puruetaunce. And if the Conſtable, Tithyng man, or chiefe pledge be requyred to ayde or aſſyſte any man, in makynge ſuch reſiſtence, and he refuſe it, he ſhall paye to the partye greuyd the value of the thynge ſo taken by accyon of dette, with the damages to the double. Anno. xx Henrici ſexti. Capitulo. xiiii.

¶ Conſtables maye arreſte purueyours or biers of any lord, or other perſon (except purueiours for the kinge and Quene) whiche take any bytayle or cariage agaynſt the wyl of the owners, and to commyt them to the nexte pryſon of the kynges, there to remayne without bayle or maynepryſe, vntyll they haue delyuered all the ſayde bytayles, or cariage, and other thynges ſo taken. And yf the Conſtables do otherwiſe when they be required, they ſhall forfayte twentye pounde. The

moyte

moytye to be to the party from whom the goodes were taken, to be recouered by accion of det, wherin the defendaunt shall not wage his lawe. Anno. xxiii. Henrici. vi. Capitulo. xiii.

¶ Clothyers shal pay to carders spinners, and other labourers lawefull money for theyr wages, and carders, fullers, and other labourers shall do theyr duetye vpon payne of double damages. And the Constables of the hundred or Constable may heare and determine the complayntes of euerye such clothier, and labourer as well for none payment of the sayd wages of labourers, as of the sayd forfaytours and damages by due examinacion of the partyes in that behalfe, & further for none payment of the sayd dueties forfaitures and damages, to commyt the trespassours to the nexte gayle in the same countye, vntyll the sayd dueties, forfaytours & damages be duely

pated vnto the sayde labourers, or clothiers. An. iiii. Edwardi. iiii. Capitulo primo.

☞ Euery hygh Constable or petye Constable shall take or cause to be taken al vagabundes, ydle people, and suspect persons liuynge suspectiously and set theym in the stockes and there to remayne by one day and one nyght and to haue none other sustynaunce but breade and water, and then to auoyde the towne where they were taken into such place or hundreth where they were borne, or where they last dwelled by the space of thre yeares. And if eftsones they be taken in such defaulte then they to be set lykewyse into the stockes by thre daies and thre nyghtes with lyke diet. An. xix. Henrici septimi. Capitulo. xii.

¶ Constables & other head offycers and euery of them finding or knowing any person vsyng or exercysinge anye vnlawe-

vnlawfull games, as tenesplay, bowles, clashe, and all other vnlawefull games prohibited by many statutes shall haue full power to commytte euery suche offendour to warde, there to remayne without baile or maipris, tyl such tyme he or they so offendyng be bounden by obligacyon to the kinges vse in such some as by discrecyon of the same offycer shalbe thought resonable, that they frome thence forth shall nat vse anye vnlaweful games. Anno. vi. Henrici. viii. Capitulo. ii.

¶ For wages for bote men, and for theyr barges or botes, or for a barge Frome London to Graues ende. iii. s. or els euery person and his male. ii. d. frō Londō to Ereth, Grene wich, Grastorroke, or purflete. xii. d. or elles for euery person and his ferdel. i. d. so it pasle nat. xii. d. From London to wulwich. xiii. d. for a bote or wherye ỹ is the tyde bote, or els euery person. ob.

From London to Grenewiche. iiii.d. or elles.ob. for euerye person and hys cardell. Frō London bridge, or Saynt Mary Oueres, or Poules wharfe to Westminster. iii.d. or els euery person a.ob. From the blacke friers, Bridwell and the temple to Westminster, or Lambeth. ii.d. with theyr males, or els euery person. ob. so that it amount to. ii.d. Frō Westminster to Lambeth or Staingate one .ob. for a bote from London to Wortlake. xii.d. or els euery person. ii.d. with his male. And from those places aboue named to London for a bote, or barge lyke summes to be payed. And these articles to be kepte vppon peyne to forfayte treble the fare. And Baylyffes, Constables, and other the kynges offycers nerte adioynynge to the feries, vppon complaint to them made, or to any of them by them that be greued in that behalf, may arrest them and commytte theym

to

to ward for theyr misdemeanour, and to make fyne for the same. An. vi. Henrici. viii. Capitulo. vii.

☞ By the statute made. An. xxii. H. viii. howe impotente persons shalbe ordered to begge and haue theyr lyuynge. It is ordeyned that yf any impotent persons auctorised to begge, do begge in any other place, then within the limittes to him assygned, then the Constables and all other the kynges offycers shall by theyr discretion punysshe all suche persons by imprisonment in the stockes by the space of. ii. dayes and two nyghtes, gyuing them but onely breade and water, and after that to cause euery suche person to be sworne to returne agayne without delaye to the Hundrede, Rape, Citie Borough, Towne, Parysshe, or fraūchyse, wherein they be auctorysed to begge in.

¶ And if any impotent person be va-

garant, and go a beggyng, and haue such letter vnder seale as is specyfyed by this statute then ỹ cunstables & all other inhabytauntes within suche Townes or paryshe, shal cause euery such begger to be taken & brought to the next Justice of peace or hygh constable of ỹ hundreth. And therupō the sayd Justice of peace or hygh Constable, shal commaunde the sayd Constables & inhabitantes of the towne or paryshe, which shal bryng before him any such begger, that they shal stryp hym naked from the myddle vpwarde & cause him to be whypped within the towne where he was taken, or where the same Justices of peace or hyghe Constable shall appoynt. And yf not, then to cōmaunde suche begger to be set in the stockes in the same towne or paryshe where he was taken by the space of thre dayes and thre nyghtes to haue onely breade and water, and

there

thereupō the sayde Justices or hyghe Cōstables shal limit a place to ỹ same begger to beg in. And to gyue hym a letter vnder seale in fourme before lymitted and to swere him to repayre thither immediatly after his punyshment executed.

¶ And all other persons beynge hole and mighty in body that do begge the constable of the hundreth, rape, or wapentake, wherein such persons shalbe so taken. And the Justices of peace, or hygh Constable (before whome they shalbe brought) by theyr dyscrecions shal cause them to be brought to such places where they thynke conuenient & there to be whipped naked through ỹ Towne or market, & thē to be sworne to retourne to the place where he was borne, or where he last dwelled by the space of thre yeares and to haue a letter vnder the seale wytnessynge that he hathe bene punished.

¶Also all persons that abiure to any sanctuary within this realme, shalbe conueyed thereunto by the constables of euery townshyp, that is frō towne to towne til that he come vnto ꝑ same sanctuarye whereunto he is abiured in lyke maner and fourme as persōs that had abiured this realme, shoulde haue bene cōueyed to the next port of the sea frome the place where they be abiured vnto the same porte by course of the comon lawe before the making of this estatute. An. xxii. Henrici octaui. Capitulo. xiii.

¶Euery fermour or owner of lādes tenementes, or hereditamētes. wherof the yerely value or rent amounteth to. v. pounde, whiche manuereth the same, shall pay to euery person which by his dylygence and laboure at hys owne costes taketh any olde crowes, and rookes, or choughes, vpon the same landes, tenementes, or hereditamentes

tamentes of the yerely value afore ſaid two pens for euerye twelue olde crowes, rokes or choughes, and .i. ob. for vi. and one .ob. for thre olde crowes, rokes or choughes. And yf anye fermour or owner refuſe to paye the ſayde money accordynge as is afore ſayde: then vpon complaynt and proffe made thereof to any Juſtyce of peace or hyghe Conſtable, the ſame Juſtice or hygh Cõſtable ſhal cauſe the ſame money to be leuyed. by dyſtreſſe of the goodes and cattels of euery ſuche fermoure or occuppyer of the ſame landes and tenemẽtes. An. xiiii. Henrici, viii. Capitulo. x.

Cwhere it is ordeyned by an eſtatute made in the. vii. yeare of kynge Richarde the ſecond capitulo. ix. that he whiche eſpieth and prouech defautes in any clothes put to ſale contrary to the aſſiſe therof ordeyned touching clothes, & contrary to the ſaid eſtatut

thulde haue the thyrde parte of euery ſuche clothe beynge defectyue for his laboure by the deliuerye of the Shyriffes, yf they be preſent or els of the lordes of fayres & markets, or of ſtewardes, Baylyffes or Conſtables of townes, where ſuch defectyue clothes ſhalbe founde, by Indenture betwene them to be made, the whiche ſhall be deliuered euery yeare into the ſcheker at the feaſte of ſaynt Myghel by them that ſhall make ſuch deliuerie, to thintent to charge the Aumagoures, and Coullours, by whome ſuche maner of defaultes ought to be ſearched and amended. Anno. vii. R. ii. Cap. ix.

¶ If any perſon ſhyppe marchaundyſe of the Staple in places ſuſpecte adioynynge to the coſtes of the water and makethe no Indentures thereof betwene him & the Mayre or Conſtable of the towne, they ſhalbe forfayte and the kynge ſhall haue the moyte

and

and the lord of the towne, and he that founde and seased such wares, shall haue the other moytie. And it is lawefull for euery person to serue in these causes. Anno. xiiii. Henrici sexti capitulo quinto.

¶ It is ordeyned that a Horse man shall paye for passage at Douer thre shyllynges, and a foteman. vi. d. and the Constable of Douer to punyshe thē that do the contrary at the sute of the party that wil complayne, and shall do him right in that behalfe An. quarto Edwardi tercii. capitulo octauo.

✲

¶ The offyce of the Coroner.

For

For to declare playnelye the office of a Cozoner, it appeareth by the Statute of Magna Carta in the .xv. Chapiter that no Cozoner oughte to holde any plees of the Cozone. But Bzeton declareth the office of a Cozoner in fourme folowynge.

¶ Fyzst that in euery county Cozoners shalbe the pzincipal cõseruatozs of the peace to bere recozde of al plees of the Crowne, of abiuraciõs, bclageries, and such lyke. And the Cozoners shall make an othe befoze the shyzyffe in the ful countie, that they shal make theyz inquestes. enrollementes, and all that to the cozoners office appertayneth lawfully, & without askynge allowance. And yf any felony chaunce oz treasour be founde, oz any woman rauished, oz pzison bzoken, oz any mã wounded nyghe vnto death, the Coroners (so sone as he shall know thereof)

of) ſhall ſende to the Shyryffe, and Baylyffes of the places (where ſuche auẽture ſhal happen) to cauſe to come before hi by a certaine day at ỹ place (where ſuche chaunce befell) foure of the nexte townеſhyppes and other yf nede be, by whome he ſhall enquyre the veritie and ſhal compell the townе ſhyppes to ſweare vppon the ſayntes to ſhewe the truth of thoſe articles ỹ he ſhal demaunde of them. Then ſhall the Coroner and the Jurrours viewe the bodye, and the woundes, and the ſtrokes, and immediatlye after ſuche viewe had the bodye ſhalbe buryed. And yf the Coroner fynde the bodye buryed before his commynge, he ſhall recorde the ſame, neuertheleſſe he ſhal not omytte to digge vp the bodye, and make it be viewed openly of the townes. And thoſe Jurrours whiche haue ben ſomoned, and come not to the inqueries of Coroners, ſhalbe amerced at

at the comminge of the Justicers at ye first assises in those countyes so that such default be entred in the Coroners rol, so ye the Coroner shal haue no power to amercie no man for any defaut.

And when the inquest is sworne the Coroner muste inquire if any person were slaine by felony, or by misaduenture, & whether the feloni were done within a house, or without, & al the circumstãce. And after it shal be inquired who were present at the dede, and who be coulpable of the ayde, force cõmaundement, cõsent or receite of such felonies wyttyngly. And if the Coroner haue any suspeccyon of the fyrste inquest for concealment of the truthe, or if it be nedefull to inquire better, and by other then shall he enquyre dyuers tymes, and all suche as therof shall happe to be indyted, the Shyryffes shall take in all the hast, yf they maye be founden, and yf not, the Coroners

roners shal enquyre who they be, and who hath withdrawen theym selues for the occasion. And the Shiriffe shal forthewith cause theyr landes to be seased and afterwardes all theyr goodes, and cause theym to be prayssed by lawefull inquest, and the goodes with the prices shalbe enrolled in the Coroners rolle, and shall be delyuered to the townesshyppe for to be aunswerable therefore vnto the kynge in case the partye soo indyted flye and wyll not stande to ryght.

❧ And after they shall enquyre yf he that is indyted dydde euer fynde suretye to kepe the Kynges peace, and the names of his Mainpernours, whiche he shall enter into his rolle.

¶ And yf the playntyfe wyll sue Appealle within the yeare, and the daye, then shall he fynde two sufficiente pledges to the Shyrryffe of that Countye, dystreynable within

the

the same, to sue his appeale according to the lawe of the lande. And then shal the Coroner cause the Appeale to be entred with the names of the pledges and after it shalbe commaunded vnto the Seriaunte of the countye where such felony is done (whiche as me semeth is the Shyrysse or his Bayliffe errant) that he haue the bodye at the nexte countye. And if the Seriaunte retourne at the seconde countye that he can nat fynde them, then shall it be awarded that the princypall beynge appealed of the dede, shalbe solemplye called to stande ryght touchynge the same felonye, and so shalbe called from countie to countie, vntyll they come or be outlawed. And if the playntyfe make defaute at anye countye then shall cherigent passe vntyll the commynge of the Justyces of the kynges benche, or the Justices in Eyre in the countye. And if the principall be outlawed

lawed, the exygentes ſhall go forthe immediatly agaynſte the acceſſoryes. And when they ſhalbe outlawed with drawen or ſuſpected, the Coroner ſhal enquyre at whoſe fyndynge ſuch a fugytyke hath bene, and accordynge vnto the verdyte he ſhall enrolle, and the enquyre of the landes and gooddes of the fugitiue. And if they appere before the outlarye, they ſhalbe repleuyable. And yf the felony were done out of a houſe, the Coroner ſhall enquire who founde the bodye fyrſte, and he ſhalbe taken and lette go vnder ſuretyes. And that no Jurrour be remouyd by challenge of any partye. Neither ſhal any Coroner take any thynge by hym ſelfe, or by other, nor ſuffre to be taken by his clerke, for doinge his offyce. And yf it be founde that anye is deade by myſaduenture, then ſhall it be enquyred what myſaduenture, as if it be founde that he fell frome a

Wylne it shalbe enquyred what thyn-
ges were then mouynge there, and
howe muche they be worthe and so yf
he fel out of a carte. And yf one fal out
of a shyp, nothynge shalbe iudged the
cause of his death but the shyppe, and
the thynges that moue therein. and
nat the marchaundyse lyenge therein.
⁂ And the Coroners ought to receyue
the confession of felonies made by pro-
uours in presence of the Shyryffe,
who shalbe his Comptroullour in all
his office, and such confession he shall
cause to be enrolled. And when anye
perso̅ flieth to a churche, so sone as the
Coroner shall haue knowledge ther-
of, he shall sende to the Baylyffe of
the place, that he shall cause to come
before hym by a certayne daye the
neyghebours, and foure of the nexte
townes shyppes adioyning to the chur-
che, and in theyr presence shal receyue
the confessyon of the felonye. And yf

the

the fugitiue pray to abiure the realme the Coroner shall do that the whiche to his office belongeth.

¶ Also he shall enquyre of rape, and all the circumstaunce, the Appealles wherof withal other appealles of robberye, felonye, and suche lyke, he shall cause to be entred in his rolle.

¶ Also they shall enquire of treasure founden, of wreckes of the see, and of Sturgeons, and of Whales taken, and who were the takers, whose names they shall enrolle, and let them go by mayneprise. And suche thynges as shall happen to be founde, they shall safely kepe to the kinges vse. And the Shyreffes, and Baylyffes, shalbe alwayes attendaunte vppon them, and theyr commaundementes.

¶ It is ordayned that throughout all the countryes of Englande there be chosen sufficyente Coroners, of the most sage and lawfull knyghtes that

maye beste to the same offyce extende whiche lawefullye shall attache, and pzesente plees of the Cozoner as well of appeales, as of thynges to the same offyce belongynge. And that no Cozoner demaunde noz take anye thynge foz doynge his offyce, vpon peyne of a greuous fozfayture to the kynge. i. Westm̃. Capit. xii. But nowe by the statute made. An. i. H. viii. Cap. i. The Cozoner shall haue. xiii. s. iiii. d. of the goodes of the murderer. And yf the mourder be commytted in the daye tyme, and the mourderer escape, the Cozoner shall haue. xiii. s. iiii. d. foz the escape vpon the townesshyppe.

☞ Also it appeareth by an estatute made in the. xiii. yeare of Edwarde the fyzste, whiche is called the statute of Excester, vnder what ozder inquisycyon shalbe made of the defaultes of Cozoners (be they alyue oz deade) where ye shall se the charge that shal-

be

be gyuen to the inquestes that shalbe charged to enquyre of Coroners, in whiche charge it appeare the further, what the Coroner ought to do by his office, whiche charge here ensueth.

☞ The fourme of the charge to enquyre of the defautes of Coroners accordynge to the estatute of Excester.

YRSTE they shal enquire if the Coroner go in proper person to do his office, or not, wherby it appeareth that he can not make a deputy.

2 Also yf he haue sent any other to do his office what he was, and howe often and aboute what aduentures.

3 Also if he came at euery tyme of his owne good wyll withoute delaye, or that he or his clarke haue taken any thynge for the more spede executyng of theyr office.

iiii Also if he tary or delaye to the entent to haue any reward after that he hathe knoweledge of the trouthe, and after that he is sente vnto, howe often, and in what place, and vnder what maner.

v Also yf the gooddes of felons taken by hym, be delyuered to the townes to kepe by a lawefull enquest as they ought to be, and enrolled in his recorde or not.

vi Also if the Cozoner take any thing of any persone foz to take a false inqueste foz to destroye the ryght of anye, oz to prayse the goodes foz lesse then they be wozth.

vii Also yf he enter any thing in his rolles, otherwyse then it was gyuen by the inquest, and what thyng he, oz his clerke toke therefoze, and howe often, and foz what thynge he oz his clerke toke suche thynge.

viii Also yf he oz his clerke toke of the goodes

goodes that were prayſed, and pry-
ſed them at leſſe then they entred thē
in theyr rolles.
ix Alſo if the priſes were not aſſeſſed
by the enqueſte.
x Alſo if the towneſhyp were falſely
charged and of what thynge.
xi Alſo if any appeales were falſelye
enrolled, or imbeſyled out of the rol-
les, after that they were entred.
xii Alſo if he refuſe to take any plaint
of appeale, for pouertye, hate, or other
lyke cauſe, & what he toke for the oc-
caſyon, and of whom, and how much.
xiii Alſo yf he or his clarke haue ta-
ken ought for the goodes of the party
that is deade vppon whoſe bodye he
take viewe, what thynge it was, and
howe often he ſo dyd.
xiiii Alſo if he haue entred al the atta-
chementes belongynge to his offyce
in due maner, or yf he haue made anye
attachemente for to greue any perſon

or to haue of his owne, and entre it into his rolles.

xv Also yf he haue not done his office at all tymes at his owne coostes with out takynge ought therefore.

xvi Also yf he haue consealed oughte at any county, or procured to be murdered, to the greuaunce of any person and yf he so did, then to enquire howe often, and for what reworde, and for whom, and in what case he so dyd.

xvii Also if all the attachementes hangyng, and lawfully receyued be pursued by hym as he ought to do for the kynge or for the party, or cause to be pursued.

xviii Also if the goods of such as haue fled the townes where they dwell for suspection of felony, were attached by him, and prayed by enqueste, and enrolled according therunto, & deliuered vnto the townes (where those goodes were founden) to kepe safelye vntyll

the

the cõmyng of the Justicers in Eyre.
xix Also yf he suffre appealles or o-
ther plaintes to hym made, to be con-
ueyed away, imbeseled, or rayled out
of the rolles, and if he take ought for
suche falshed, of whom, howe muche
and howe many tymes.
20 Item yf there were any treasoure
founde in the tyme of the same Coro-
ner, in what place, and what maner
of treasoure, and howe muche, and in
whose handes it resysteth, & by whose
delyueraunce.
❧ This is the hole charge that Jus-
tycers in Eyre must gyue, for to en-
quyre of Coroners, and of theyr de-
faultes. Forthermore Justyces in
Eire may impanell other inquestes of
foure and twenty persons of the body
of the county to inquire of the cõceal-
ment of the first inquestes whiche did
enquire of the defaultes of Coroners.
¶ When Coroners haue any know-
 ledge

ledge from the kynges Baylyffes, or other honeste men of the countrey for to go vnto such as be slayne, or sodainly deade or wounded, or breakers of houses, or to anye place where treasour is sayd to be founde: they muste go forthwith, and commaunde foure, fyue, or sixe, of the next townshippes that they be afore them at such a day and place, and when they shall come, then the Coroner must make enquyre thereof in fourme folowynge.

¶ Fyrste if the person were slayne in house, or in the fylde, in bed or at the tauerne. &c. and who be gilty there eyther of the dede or cõsent. &c. And any be in the courte, whiche were these so that they can speke, or haue any discrecion, and they that be founde gylty by inqueste shalbe taken, and delyuered to the Shyryffe. And suche as were present, and be not gylty shalbe attached vntyl the comming of the Justyces

tes, and theyr names shalbe writtē in the Coroners rolle.

¶ If any be sodaynlye slaine in fyl-des, or in the woodes, it is fyrst to be sene whether he were slayne there or not, and yf he were not slayne there then as nere as they can, they shal fo-lowe the steppes of him that brought the body thyther with horse, or carte yf it be possyble, in case the murderer be knowen, and yf he be a straunger, then shal they enquyre where he was lodged the nyghte before. And tou-chynge suche as shalbe founden gylty the Coroner shall go immedyately to theyr houses, and enquyre what goo-des and landes they haue, and howe muche they be worth by the yere.

⁂ But by the statute of kynge Ri. the iii. it is ordeyned that the landes and goodes of suche persons shall not be seased vntyll they be attaynted, or o-therwyse cõuicte by course of the lawe

And

And these thynges thus beynge enquyred, the bodyes shalbe buryed incontynent.

☞ Moreouer they muste enquyre of such as be drowned or dead sodainly and whether they were drowned or strangled, or slayne, and they must enquire who were the fynders that they may be attached. Also they muste viewe the length, bredth, and depnes of all woundes, and must enquyre with what weapons, and in what place of the body. And if the wounde be mortall, the offendour shall be kept vntill it be knowen whether the partye may be hole. And yf the wounde be greate, then he shalbe let go vnder foure, or fyve pledges, and if it be but lytel, the two pledges shall suffyce. Also they muste enquyre of horse, cartes, and other thynges whereby any were slaine that they maye be praysed and delyuered, vt supra.

Also

☞ Also they shal enquyre of wrecke of the see, and if any laye hande vpon it, he shalbe attached by good pledges and the wrecke shalbe praysed and delyuered to the nexte townes shyppes, Furthermore hue and crye shall be leuyed vppon all manslaughters, burglaryes, or when any is slayne or in parell of death if it may be. And all shall folowe suche hue and crye, yf they be able and they that do nat, shall be attached to appere before the Justyces.&c.

☞ Also yf anye persone flye vnto the Churche, or other halowed place for murdre, felonye, or suche lyke offence, the Coroner vpon knowledge thereof shall come thether and take hys confessyon, and if he wyll abiure the realme, the Coroner shall receyue hys abiuracyon, whiche he shall saye in this fourme.

The

THE FORME OF THE ABIVRACION.

HERE you thys Syr Coroner that I.A.B. am a chiefe of one house (or other lyke thynge) or a man clear of one man (or mo) and a felon of out souerayne lorde kinge Henry the eyght. And forasmuchas I haue committed manye euyll deades and felonyes, in thys his realme, I here abiure his lande for euer, and shal make as muche haste as I can to the hauen of. D. whiche you haue assigned me, & I shal nat departe out of ye high way, and if I do, I wyl that I be taken as a theefe and felon of the kyng. And further I shal diligently seke my passage at the place aboue limitted, and I shal nat abyde there any lenger then one ebbe and one flod, yf I may haue passage. And if I can haue no passage in to much space, I shal go euery day into

the

the see vp to my knees, and assay it I can get ouer. And yf I can nat so do within forty dayes continuing. I shal yelde myselfe agayne to the churche, as the Kynges thiefe and felone. So helpe me God and holydome.

☞ Neuertheles it semeth that when any person shall abiure, him behoueth to shewe the place, the daye, and yere, and in what countye he dyd the felonye, or Mourder, whiche confessyon shalbe as an Indytemente in effecte nat withstandynge yf he do it nat but onely as before is expressed, it is good ynoughe, bycause he is attaynted before by hys abiuracyon. Hope be it this maner of abiuracyon is put out by the estatute of Henry the viii. made in the xii. yere of hys reygne, whereby it is ordeyned that suche as wyll abiure, shall make their abiuracyon frō al their liberty vnto some sainctuary within this realme, there to remayne durynge

durynge theyr lyues, and shalbe burned in the ryght hande with this letter. A. And if such a person afterwarde be taken out of sayntuarye, he shalbe ordred in lyke maner as one that had abiured the realme before the sayde estacute. And the same person that so taketh the churche shal make his abiuracyon, and shall take his passage frome thence at suche a daye and time as the Coroner shall appoynte, and shalbe marked vpon the brawen of his thombe on the right hand with a burnynge yron, and shalbe conueyed to the sayntuarye (wherunto he is abiured) by ỹ Wayzes, Baylyffes, & Constables, in suche facyon as they haue bene wholye heretofore had abiured the realme. And if any felon refuse to abiure before the Coroner, he shalbe taken out of the sayntuarye, and shall lese the priuiledge therof, And ỹ is by the statute of An. xxi. H. viii. Capi. ii.

Also

¶ Also it is ordayned that none shal be chosen Cozoner if he hath nat land sufficient within the same countye foz to aunswere al persons. Anno. iiii. Edwardi. iii. cap. viii.

¶ And it is further ordeyned that all Cozoners shal be chosen in the ful cõtie by the commons of the said Countye of the most conuiniente and able persons. An. xxviii. Edwar. iii. Cap. vi.

¶ The Cozoner shall enquire vppon the viewe of the body, if he were slain by daye if the Mourderer be taken. And if the Murderer escape the townesshyppe to be amerced. And the Coroner shall enquire of that escape whē he enquireth of the death vppon the viewe of the bodye. And the Cozoner shall haue foz his fee. xiii. s. iiii. d. of the goodes of the murderer. And if he haue no goodes, then to haue his fee of suche amercyamente as shalbe set vpon the townesshyppe foz the scape.

And after the murder founde, the Coroner shall certifye his inquisycyon afore the Justicers of the nexte generall Gayle delyuery in the countye. And yf the Cozoner be remysse, and make his inquisicion vpon the viewe of the bodye, and certyfye nat accozdynge as is afozesayde: then the Cozoner foz euery defaulte to fozfayte one. C. s. An. iii. Henrici. vii. Capitulo pzimo.

¶ It is ozdeyned that vpon enquest to the Cozoner so come and inquyze of anye persone dzowned oz slayne by mysaduenture: the Cozoner shall dylygentlye do hys offyce without anye thynge takynge therfoze, vpon peyne of euerye Cozoner that wyll nat endeuer him to do his office, oz that taketh any thynge foz doing his office vpon any person deade by mysaduenture. xl. s. Anno. i. Henrici. viii. Capitulo. vii.

☞ In case of mans death within the vierge, it shall be commaunded to the

Cozoner

Cozoner of the Countrey, that he to-gyther with the Cozoner of the Kyn-ges house do make the enquyzye, and enrolle it. And that whiche can nat be determyned befoze the Stewarde by cause the Felons be nat attached, oz foz otherlyke cause, shall remayne at the comon lawe so that the exigentes vtlagaryes and pzesentmentes there-of be made in Eyze by the Cozoner of the countrey, as of the other felonyes done out of the vierge. Artycles vpon the Chaters. Capitulo secundo.

¶ No Cozoner, Shyzyffe, noz other offycer shall take ought foz his offyce and yf he do, he shall restoze twyse so muche, Westminster. i. Ca. xxviii. But the statute of. Hen. vii. gyuethe to the Cozoner a marke of euery murder.

¶ Also it was sayde by the Justicers M. sexto Richardi secundi, that the Cozoner hathe no power to enquyze of mannes deathe, but onelye vppon

viewe of the bodye, and if he do, it is frustrate and voyde. And yf one Coroner enquire vpon the viewe of the body, and after another Coroner wyll come and enquire thereof agayne, this seconde enquire is voyde for the fyrst enquire is onely of recorde.

❧ If one become a prouour before the Coroner he shall nat afterwarde be admitted to say that he dyd commytte the acte by duresse of imprysonmente for the recorde of the Coroner shall estoppe to implede that.

❧ If any wyll sue appeale of robery or larcenie, he must come into the full countye within the yeare and the day after the felonye done, and must fynde two pledges to folowe his suit, and the Coroner shall enter his appeale immedyatly in his roll, and the names of the pledges. And then shall it be commaũded to the Bailiffes of the place, where &c. that haue the bodye at the nexte

countye. And yf he retourne at the seconde countye (Non est inuentus) then shal the appeale be called from countye to countye vntyll he be outlawed, and yf the playntyfe make defaulte at any countye, then shall the exigente cease, vntil the Eyre of the Justicers in the same countye, and the playntyfe shall lease his accion after apparaunce for euer, wherby it appeareth that after ỹ yeare and day a man shal not haue appeale of felonye. And to this poynte agreeth Bracton in his fyrst boke.

¶ The Coroner must recorde his viewe, abiuracyons, appeales, accusacions of theues made before him, and so muste he do of all thynges that belonge vnto his offyce to be done, & the non suites of plaintyffes in appealles he muste recorde, with all thynges done in the countye whiche belonge vnto his office. Also ye shall note that appeales shalbe made in the courtes

of any lord that hath fraūchise of Infangthef in presence of ꝑ Coroner. &c.

¶ A presentment was sent into the kynges benche by a Coroners comprising howe a certayne person taken for felonye, was conueyed vnto the churche by certayne Freers. &c. And bycause the Coroner hadde no power to take such an indytement, a writ was dyrected to the same Coroner to certyfy whether he had any other presentment or not. Anno. xxvii. Edwardi. iii. Libro assisarum.

¶ An aduenture of the death of a mā was presēted before Justices in Eyre and bycause the same was not founden in the Coroners rolle, the Coroner was awarded to prison. The Coroners fee in Eyre, is to haue a penny of euery venue, whē they shal come.

☞ Note that a presentment made before Justycers in Eyre of a thynge, which is cōtrary to that that is entred

in

in the Cozoners rolle, ſhalbe taken as voide, and the cozoners rolle ſhalbe taken foz the recozde.

¶ The Cozoner ſhall enquyze of the death of men ſlayne, oz dzowned in the armes oz creekes of the ſee, where the lande may be ſeene of eyther ſide, But nowe by the ſtatute made, Anno. xiii. Richardi ſecundi Capitu. v. and confyzmed. Anno. ii. Henrici. iiii. Capitulo. xi. the admiral hath no iuriſdiction, but onely vpon the hyghe ſea, whereby it appereth that the Cozoner hath iuriſdyction there to enquyze of mannes death.

☞ A Cozoner may take an appeale of felonye made by an appzouour in any county of Englande, and ſo maye he do of an abiuracion, in caſe that he confeſſe the felonye to be done in an other counſye. And the Cozoner maye abiure hym aſwel vpon that, as yf the felony had bene done within the ſame

countye. But he can not ake any appealle of robberye, or felonye, onlesse it be within the same countye where the robberye, or felony was commited, and where he is Cozoner, for by ꝑ confessiõ or appechment he is attaynted, and so is he not in the other cause.
¶ One that becõmeth a prouour before Justyces shall not haue a Cozoner except he wyll confesse the felony before them, and praye a Cozoner. T. xxvi. Edwardi. iii.
☞And if one become a prououre and appeal other of dyuers felonyes done in other countyes, in this case the Cozoner can not make profe therupõ into any foreyne countye, but he shall enter it into his rolle, and shal send the same presentmente before the Justyces of gayle delyuerie, and the Justices of gayle deliuerye, shall awarde processe to the Shyrryffe of the forreyne countye, for to take him that is so

so appealed.

¶ Thus ye muste vnderstande that yt any Shyrysses, Baylysses, Escheatours, Constables, or Coroners take ought for doyng theyr offyces otherwyse then to them is lymyted by the statutes before declared, that thē such taking is extorcion, which is punishable at the kyngs pleasure, as appereth by the statutes before writtē, and by the statute made. An. i. H. iiii. Capi. xi. wherby it appeareth that Shyrysses and theyr ministers, Bailisses & theyr mynysters, Escheatoures and theyr mynysters, Coroners and theyr mynysters, are bound to serue al precepts to them directed frome the Justycers of peace without takynge oughte of any partye. And if a precepte be directed to the Shyrysse, or any other the kynges officer to compell anye to appeare before the Justycers to fynde suertie of ỹ peace, yf the party (against

whome any suche precepte is dyrec-
ted) be redy to come before the sayde
Justyces to fynde suertye of the peace
they shall take nothynge of hym. And
in lyke maner must they serue all pro-
cesses that come to them, dyrected out
of the kinges benche, the comon place
the Escheaker, or the Chauncery
without takyng ought therfore
but only the fees expressed in
the Estatutes before wryt-
ten. And if they take
any other fees, it is
playne extor-
cion.

¶ A breefe declaracyon con-
cernynge the extorcions
of Ordinaries, per-
sons, Vicars, and
Curates.

Concer-

CONCERNYNGE Ordynaries, ye ſhall vnderſtande that it is ordeyned by an eſtatute made in the one and twentye yere of kyng Henry the eyght that no Ordynarye ſhall take any thynge for the probate of the teſtament of ſuch a perſon, whoſe goodes amount not aboue the ſumme of a hundreth ſhyllynges, except to the Scribe. vi.d. only. And of goodes aboue the value of a hundreth ſhyllynges, vnto fortye pounde iii.s.vi.d. And the Scrybe to haue twelue pens of the ſame ſumme. And for the probate of a teſtamēt of goods aboue the value of forty pounde fyue ſhillinges, wherof the ſcrybe to haue two ſhyllynges and fyxe pence, or for euery lyne beyng ten inches in length one peny, any ſuche lyke ſummes for letters of adminiſtracion, where ſuche perſōs dye inteſtate, and the teſtament

to

to be regestred, and delyuered to the partye without delaye, and letters of administracion to be graunted to the wyfe, or nexte of the bloude of the partye deceassed, or to bothe. And for the probate of a testament, or letter of administracion of goodes vnder the summe of a hundrethe shyllynges, the Ordinary shall take nothynge. Moreouer it is the office of the ordinary to deface the seale of the testatour (where with the testament was sealed) and to delyuer it agayne to the partye. And yf the Ordynary take anye more then afore is lymitted, he shall forfayte so muche as he taketh, and ten poundes more besydes that, whereof the moytie shalbe to the partye greued.

☞ If the Ordynarye cyte anye person to appere in a spirituall courte to depose in any matter there as a wytnes, that is extorcion and wronge to the partye.

If

¶ If any Ordynary, Person, or Vycar take anye mortuary after the deth of any person, which had not in good to the value of ten markes, that is extorcyō. And lykewise it is where they take a mortuary in such places where it hathe nat bene accustomed to paye mortuaryes. And euen so it is where a Person or Vycare taketh more then iii.s. and.iiii.d. in the name of a mortuarye if the goodes amounte aboue ten Markes, and vnder the value of xxx.li. for that is extorcyon. Also if he take more then. vi.s. viii.d. for a mortuary where the goodes be aboue the value of.xxx.li. and vnder the summe of forty pounde the dettes payed, that is extorcyon.

☞ And yf they take of theym whose goodes amount to.xl.li. aboue the dettes payed, more then.x. shyllynges for a mortuarye, that is extorcyon.

¶ And if he take any mortuarye for a woman

a woman maryed, or one that is with in age, or for a man that kepethe no house, it is extorcyon.

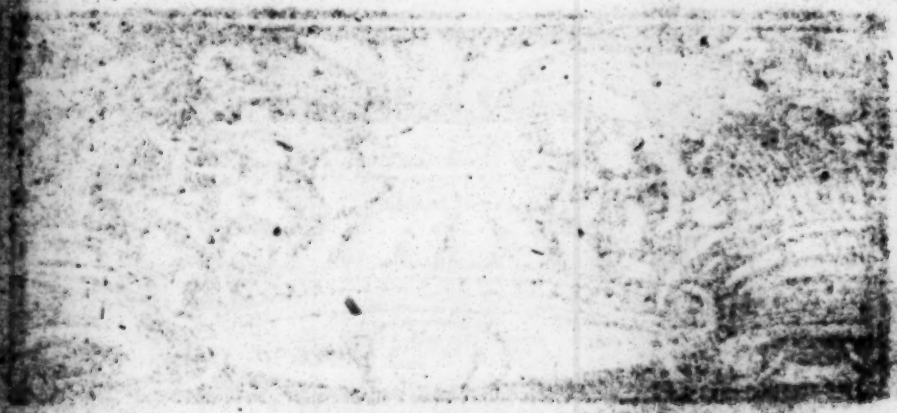
¶ And yf anye mortuary be taken in Wales, it is extorcio, except Bysshoppes that shall take mortuaryes therof prestes, & curates. And the Archdeacon of Chester shall take mortuaryes of prestes within the county of Chester. ¶ And whosoeuer taketh for a mortuary more then he ought, shal forfait asmuche in value as he taketh, and forty shyllynges besydes that to the partye greued. An. xxi. Henri. octaui. Cap. vi.

And this haue I thought sufficient to declare

vnto you concernynge the Extorcions of ordynaryes, Persons, Vicars, and Curates.

¶ FINIS.

❧ : Imprynted

at London in Fletestrete
at the signe of the George
nexte to Saynte Dunstones
Churche by wylly-
am Powell.

In the yere of our Lorde God.
M.CCCCC.L.II.
The.xxiiii.daye of
Februarye.